



## **COUNCIL MINUTES**

**November 20, 2012, 7:00 p.m.**

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 20

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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 Joe Li Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu.

### **REGRETS**

Regional Councillor Gord Landon

### **STAFF**

Andy Taylor, Chief Administrative Officer  
Jim Baird, Commissioner of Development Services  
Catherine Conrad, City Solicitor  
Brenda Librecz, Commissioner of Community and Fire Services  
Trinela Cane, Commissioner of Corporate Services  
Joel Lustig, Treasurer  
Martha Pettit, Acting City Clerk  
Alida Tari, Council and Committee Coordinator  
Stephen Huycke, Acting Deputy Clerk  
Dennis Flaherty, Director of Communications and Community Relations  
Rino Mostacci, Director of Planning and Urban Design  
John Wong, Technology Support Specialist  
Alan Brown, Director of Engineering  
Mark Visser, Senior Manager, Financial Strategy & Investments  
Kitty Bavington, Council and Committee Coordinator

The regular meeting of Council convened at 7:24 p.m. on November 20, 2012 in the Council Chamber. Mayor Frank Scarpitti presided.

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

That Council meeting recess at 7:24 p.m.

**CARRIED**

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

That Council meeting reconvene at 9:25 p.m.

**CARRIED**

**1. DISCLOSURE OF PECUNIARY INTEREST**

(1) None declared.

**2. MINUTES**

(1) COUNCIL MINUTES – NOVEMBER 8 AND 13, 2012  
[Nov 8](#) [Nov 13](#)

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

That the Minutes of the Council Meetings held on November 8 and 13, 2012, be adopted.

**CARRIED**

**3. PRESENTATIONS**

There were no presentations.

**4. DELEGATIONS**

There were no delegations.

## 5. PETITIONS

There were no petitions.

### 6(a) REPORT NO. 54 – SPECIAL GENERAL COMMITTEE (November 8, 2012)

Council consented to separate Item No. 1.

Moved by Councillor Howard Shore  
Seconded by Councillor Don Hamilton

That Report No. 54 – Special General Committee comprised of 1 item be received and adopted, as amended.

#### (1) WATER SYSTEMS MANAGEMENT PRESENTATION #4 STORMWATER FUNDING OPTIONS (5.5) [Presentation](#)

- 1) That the presentation by Robert Muir, Senior Stormwater Management Engineer regarding the Water System Management - Stormwater Funding Options be received; and,
- 2) That the City's flood control strategy consider a 100-year level of service target for City-wide storm drainage systems, subject to technical feasibility and approvals as part of future Class Environmental Assessments (EA) which shall consider different levels of protection; and,
- 3) That the City's flood control strategy consider a 5 year level of service target for Don Mills Channel drainage system based on its original design and consider other options, subject to technical feasibility and approval as part of a future Class EA; and,
- 4) That the City adopt a 30 year implementation timeframe for its flood control strategy; and,
- 5) That the flood control strategy implement City-wide flood risk reduction projects, prioritized on the basis of identified risk and cost-effectiveness of solutions; and,
- 6) That the flood control strategy be updated on a 5 year cycle considering projects identified in completed technical studies and updated budget requirements; and,

- 7) That staff proceed with City Wide public consultation on the following stormwater funding options:
  - a) 100% City-wide fees
  - b) 100% Local Charges
  - c) 75% Local Charges and 25% City-wide fee
- 8) That Canada Gas Tax Funding be considered to offset the cost of the above options; and,
- 9) That staff meet with the Thornhill Liaison Committee prior to the City Wide public consultations; and further,
- 10) That staff report back following public consultation and recommend a funding option for the flood control strategy.

**MOTION DEFERRED**  
(See following to defer)

Moved by Councillor Howard Shore  
Seconded by Councillor Valerie Burke

That Item No. 1, Report No. 54 titled "Water Systems Management Presentation #4 Stormwater Funding Options" be deferred to the first Council meeting in January 2013.  
(See Communication No. 78-2012)

**CARRIED**

**6(b) REPORT NO. 55 – SPECIAL GENERAL COMMITTEE (November 12, 2012)**

Council consented to separate Item No. 2. (See following Item No. 2)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Colin Campbell

That Report No. 55 – Special General Committee comprised of 2 items be received and adopted.

(1) AUTHORIZATION OF PARKING AUTHORITY AND  
CORNELL COMMUNITY CENTRE AND LIBRARY  
PARKING GARAGE (5.0)

[Report](#)

- 1) That the presentation regarding Cornell Community Centre and Library – Parking Garage Operation be received; and,
- 2) That Council direct staff to implement parking rates equivalent to Markham Stouffville Hospital for non-users and beyond three (3) hours for Cornell Community Centre and Library users; and,
- 3) That Council direct staff to report back after one year of operation to verify usage, abuse, revenue and a proposed Cost Recovery Policy; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(2) ESTABLISHMENT OF A PARKING AUTHORITY (2.17)

[Report](#)

- 1) That the report entitled “Establishment of a Parking Authority” dated October 15, 2012 be received; and,
- 2) That the Markham Parking Authority (MPA) not be established as a municipal service board at this time; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(See following motion which was lost)

Moved by Deputy Mayor Jack Heath  
Seconded by Councillor Alex Chiu

That Item No. 2, Report No. 44 titled "Establishment of a Parking Authority" be referred back to Parking Advisory Committee.

**MOTION LOST**

**6(c) REPORT NO. 56 – SPECIAL GENERAL COMMITTEE (November 13, 2012)**

Moved by Councillor Howard Shore  
Seconded by Councillor Valerie Burke

That Report No. 55 – Special General Committee comprised of 1 item be received and adopted.

(1) MARKHAM VOTES 2014  
INTERNET VOTING PROGRAM (9.0)  
[Presentation](#)

- 1) That the presentation entitled "Markham Votes 2014- Internet Voting Program" be received; and,
- 2) That Council authorizes the use of Internet Voting for the Early Voting Period for the 2014 Municipal Elections; and,
- 3) That Council authorizes the use of Optical Scan Vote Tabulators and Vote Recorders for the 2014 Municipal Elections; and further,
- 4) That staff be authorized to do all things necessary to give effect to this resolution.  
(By-laws 2012-238 and 2012-239)

**CARRIED**

**6(d) REPORT NO. 57 - GENERAL COMMITTEE (November 19, 2012)**

Council consented to separate Item Nos. 1, 4 and 7. (See following Item Nos. 1, 4 and 7)

Moved by Councillor Carolina Moretti

Seconded by Councillor Logan Kanapathi

That Report No. 57 – General Committee comprised of 8 items be received and adopted.

(1) INTEGRITY COMMISSIONER  
AND COUNCIL CODE OF CONDUCT (9.0)  
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the report entitled “Integrity Commissioner & Council Code of Conduct” be received for information purposes; and,
- 2) That Staff be authorized to proceed with the recruitment of an Integrity Commissioner, on a retainer basis, using the recruitment model detailed in this report; and,
- 3) That Council adopt the mandate for the Integrity Commissioner included with this report as Appendix ‘A’; and,
- 4) That Council adopt the complaint protocol included with this report as Appendix ‘B’; and,
- 5) That the Council Code of Conduct included with this report as Appendix ‘C’ be deferred to a Council Workshop in early 2013; and,
- 6) That the 2013 costs for the Integrity Commissioner be funded from the existing operating budget and that staff be authorized to monitor the expenses and that any adjustments required be considered in the 2014 operating budget process; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

Council consented to add the word "...early..." before the word "...2013..." in Resolution No. 5.

(2) MINUTES OF THE OCTOBER 26, 2012  
BUDGET SUB-COMMITTEE (16.0)  
[October](#)

- 1) That the Minutes of the October 26, 2012 Budget Sub-Committee be received for information purposes; and,
- 2) That Council endorse the following resolution passed at the October 26, 2012 Budget Sub-Committee Meeting:

“That the following 2013 Celebrate Markham Grants be approved:

- Tony Roman Hockey Tournament - \$5.4 K
- Black History Month - \$3 K
- Chinese New Year Celebration- \$10 K”.

**CARRIED**

(3) MINUTES OF THE NOVEMBER 1, 2012 MARKHAM  
LIVE (MISTA) COMMITTEE (16.0)  
[November](#)

- 1) That the Minutes of the November 1, 2012 Markham Live (MISTA) Committee be received for information purposes; and,
- 2) That the Mayor and all Members of Council be appointed to the Request for Information (RFI) Interview Subcommittee relative to Markham LIVE (MISTA) Committee.

**CARRIED**

(4) NOVEMBER 2012 - CANCELLATION, REDUCTION  
OR REFUND OF TAXES UNDER SECTIONS 357 AND  
358 OF THE MUNICIPAL ACT, 2001 (7.3)  
[Report](#) [Appendix A](#) [Appendix B](#)

- 1) That taxes totalling approximately \$204,150.74 be adjusted under Section 357 (in the amount of \$159,743.40) and Section 358 (in the amount of \$44,407.34) of the *Municipal Act, 2001* of which the City’s portion is estimated to be \$41,587.82; and,
- 2) That the associated interest be cancelled in proportion to the tax adjustments; and,

- 3) That the Treasurer be directed to adjust the Collector's Roll accordingly; and,
- 4) That the Markham portion of the taxes be charged to Tax Write-off Account 850 850 7051; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(5) INTERIM SPENDING AUTHORITY PENDING  
APPROVAL OF THE 2013 UNIONVILLE & MARKHAM  
VILLAGE BUSINESS IMPROVEMENT AREAS (B.I.A.) BUDGETS (7.4)

[Report](#)

- 1) That the report dated November 19, 2012, entitled "Interim Spending Authority Pending Approval of the 2013 Unionville & Markham Village Business Improvement Areas (B.I.A.) Budgets" be received; and,
- 2) That Council approve 50% of the 2012 Operating Budget equivalent to the amounts of \$128,000 and \$152,833 for the Unionville B.I.A. (UBIA) and Markham Village B.I.A. (MBIA) respectively as pre-budget approval for the 2013 operating expenditures; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

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

[Report](#)

- 1) That the report entitled "Contract Extension for the Supply & Delivery of E 10 Gasoline with the York Region Buyers Co-operative CT-09-02" be received; and,
- 2) That the contract for supply & delivery of E10 Gasoline be awarded to Ultramar Ltd. in the estimated amount of \$460,937 inclusive of HST; and,
- 3) That the term of the contract be for a one (1) year period, effective January 1, 2013 thru to December 31, 2013 subject to budget approval; and,

- 4) That the Tender process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7.1 (c), Non-Competitive Procurement, when the extension of an existing contract would prove more cost effective or beneficial; and,
- 5) That the 2013 estimated costs be provided for within the Operations Department Operating Budgets 750-752-4300 for gasoline; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(7) WATER METER BY-LAW REPORT (5.3)

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

- 1) That the report entitled “Water Meter By-law” be received; and,
- 2) That Council enact the proposed Water Meter By-law, as described in this report and in the form set out in Attachment ‘A’; and,
- 3) That Council repeal Sections 25 to 33 in the current Waterworks System By-law (By-law #1602, Attachment ‘B’) on rules and regulations for the installation, maintenance, access and reading of water meters; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-laws 2012-242 and 2012-243)

**CARRIED**

(8) FORMER SABISTON LANDFILL SITE – STATUS UPDATE (5.7)

[Report](#) [Figure 1](#) [Figure 2](#) [Attachment A](#)

- 1) That the report entitled “Former Sabiston Landfill Site – Status Update” be received; and,
- 2) That staff continue to monitor the gas probes at the boundary between the landfill Site and residential properties at a frequency every two months as per the approved Ministry of Environment (MOE) Operating and Procedures and Maintenance Manual for the Site; and,

- 3) That staff prepare appropriate signage to be installed within the Site identifying it as the “German Mills Meadow and Natural Habitat” to assist in the education and management of public use of these lands as outlined in the report; and,
- 4) That the funding available in account 750-101-5399-7028 ‘Settlers Park Landfill Site Management’ of \$367,776 be re-allocated to fund the additional rehabilitation works identified in the report; and,
- 5) That staff be directed to report back on the potential to establish a Community Liason Committee relative to the former Sabiston Landfill site; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

**6(e) REPORT NO. 58 - DEVELOPMENT SERVICES COMMITTEE  
(November 20, 2012)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 58 – Development Services Committee comprised of 3 items be received and adopted.

(1) DEVELOPMENT FEE AND BUILDING FEE BY-LAWS  
UPDATE (2013) (10.0)  
[Presentation Report](#)

- 1) That the Report titled “Development Fee and Building Fee By-laws Update (2013)”, dated November 6, 2012 be received; and,
- 2) That the amendment to the “Tariff of Fees for Processing Planning Applications,” By-law 211-83, substantially in the form attached as Attachment "A", be enacted; and,
- 3) That the By-law come into force and take effect on January 1, 2013; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2012-244)

**CARRIED**

- (2) RECOMMENDATION REPORT  
CWH MARKHAM DEVELOPMENTS INC.  
117 MINGAY AVENUE  
DRAFT PLAN OF SUBDIVISION 19TM-11004  
FOR SINGLE DETACHED, SEMI-DETACHED AND TOWNHOUSES  
(SU 11 131035) (10.7)

[Report](#)

- 1) That the report titled “RECOMMENDATION REPORT, CWH Markham Developments Inc., 117 Mingay Avenue, Draft Plan of Subdivision 19TM-11004 for single detached, semi-detached and townhouses, File No. SU 11 131035 ”, dated November 20, 2012, be received; and,
- 2) That the record of the Public Meeting held on June 19, 2012, regarding the application for approval of Draft Plan of Subdivision be received; and,
- 3) That the Mayor and Clerk be authorized to enter into a No Presale Agreement with the Owner of Plan 19TM-11004 which agreement shall be registered on title, committing the Owner to:

Not enter into any agreements of purchase and sale with end users for the lands (residential unit purchasers), until such time as:

- a. the City of Markham approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;
  - or,
  - b. i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Southeast Collector Trunk Sewer and,
  - ii. The Council of the City of Markham has allocated adequate available water supply and sewage servicing capacity to the subject development;
  - or,
  - c. the Regional Commissioner of Environmental Services confirms servicing capacity for this development by a suitable alternative method and the City of Markham allocates the capacity to this development;
- AND

Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City of Markham, which agreement shall be registered on title, committing the new Owner to the same terms as set out in items a, b and c above; and,

- 4) That draft plan of subdivision 19TM-11004 submitted by CWH Markham Developments Inc, be draft approved subject to the conditions outlined in Appendix 'A'; and,
- 5) The Director of Planning and Urban Design, or his designate, be delegated authority to issue draft approval, subject to the conditions set out in Appendix 'A' as may be amended by the Director of Planning and Urban Design; and,
- 6) That the draft plan approval for plan of subdivision 19TM-11004 will lapse after a period of three (3) years from the date of issuance in the event that a subdivision agreement is not executed within that period; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

- (3) RECOMMENDATION REPORT  
SERRA HOMES LIMITED  
OFFICIAL PLAN AMENDMENT  
REZONING AND SITE PLAN APPLICATIONS  
TO PERMIT A TOWNHOUSE DEVELOPMENT  
23 WATER STREET, MARKHAM  
(OP 12 132315, ZA 12 132315 AND SC 12 132315) (10.3, 10.5, 10.6)  
[Report](#)

- 1) That the report dated November 20, 2012 titled "RECOMMENDATION REPORT, Serra Homes Limited, Official Plan Amendment, Rezoning and Site Plan applications to permit a townhouse development, 23 Water Street, Markham, File Nos: OP 12 132315, ZA 12 132315 and SC 12 132315", be received; and,
- 2) That the record of the Public Meeting held on May 22, 2012 regarding the applications submitted by Serra Homes Limited to amend the Official Plan and Zoning By-law 1229, as amended, be received; and,

- 3) That the application (OP 12 132315) submitted by Serra Homes Limited to amend the Official Plan (Revised 1987), as amended, and the Main Street Markham Secondary Plan (PD 1-14) for the Markham and Unionville Planning District (Planning District 1), to permit a townhouse development at 23 Water Street, Markham, be approved and the draft By-law attached as Appendix 'B' be finalized and enacted without further notice; and,
  - 4) That the application (ZA 12 132315) submitted by Serra Homes Limited to amend Zoning By-law 1229, as amended, to permit a townhouse development at 23 Water Street, Markham, be approved, and the draft By-law attached as Appendix 'C' be finalized and enacted without further notice; and,
  - 5) That the Site Plan application (SC 12 132315) submitted by Serra Homes Limited to facilitate a townhouse development at 23 Water Street, Markham be endorsed in principle, subject to the conditions attached as Appendix 'A'; and,
  - 6) That Site Plan Approval (SC 12 132315) be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director, or designate, has signed the site plan; and,
  - 7) That 2011-2012 servicing allocation for 8 townhouse units be assigned to the proposed development; and,
  - 8) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and further,
  - 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-laws 2012-245 and 2012-246)

**CARRIED**

## 7. MOTIONS

- (1) GTA SPORTS CENTRE  
- BACKGROUND CHECK FOR PROPONENTS (6.0)

**Note: Council consented to Councillor Don Hamilton withdrawing this motion, and there was no objection.**

The Notice of this motion was given to Council at its meeting held on November 13, 2012.

Moved by Councillor Don Hamilton  
Seconded by Regional Councillor Jim Jones

Whereas Winston Churchill once said “Leadership is demonstrated by behaviour”. This should guide companies and organizations to hire executives who have demonstrated the character traits that they would want exemplified by their leaders. Given the recent corporate scandals throughout the corporate landscape, the necessity of conducting executive background checks has become an industry norm. It is imperative for companies and organizations to explore the past of their potential executives, as they plan for the future; and,

Whereas a detailed executive background investigation captures, in an in-depth dossier, an understanding of the risks that are often times inherent when entering into business relationships that might jeopardize your organizations reputation; and,

Whereas the higher the position within a company, the higher the level of scrutiny must be. A comprehensive background investigation provides information on key personnel, executive candidates, or potential partners that allow you to make an informed decision on the future leadership of your company or project,

### Recommended Searches

- County Criminal History (provincial for Canadian operations)
- Bankruptcy search
- Credit Report
- Education Verification
- Federal District Court Criminal History
- Media search
- Motor Vehicle Report
- National Criminal Super Search
- OFAC-List of Specially Designated Nationals and Blocked Persons
- Professional License/Certification
- Proprietary Records Search
- References: Employment, Social Acquaintance, and Neighbours
- SEC violations search
- Social Security Number Trace
- State and Federal civil search (provincial for Canadian operations)
- State Criminal History (provincial for Canadian operations);

Now therefore be it resolved:

That staff be directed to carry out a due diligence investigation of a full background check of the proponents' of the GTA Sports Centre paying attention to other ventures with sports groups and municipalities. This study is required so that Council can demonstrate that if the GTA Sports Centre is financially viable that the present proponents can meet their financial obligations to the City to pay the debt being incurred by the City on their behalf.

**MOTION WITHDRAWN**

## **8. NOTICES OF MOTIONS**

- (1) RESCIND THE FINANCIAL FRAMEWORK FOR THE PROPOSED GTA SPORTS, ENTERTAINMENT AND CULTURAL CENTRE (6.0)

Moved by Councillor Colin Campbell  
Seconded by Councillor Valerie Burke

**Whereas** the City of Markham at the request of GTA Sports, Entertainment and Cultural Centre, has developed a Financial Framework for the proposed Markham, Sports, Entertainment and Cultural Centre, and

**Whereas** this proposed financial framework has been subject to considerable study and feedback by all stakeholders, and

**Whereas** the present financial framework model is not in the best interest of the City:

### **Therefore Be It Resolved That:**

- The previous approval of the draft financial framework on April 26<sup>th</sup>, 2012 for the GTA Centre project be rescinded, and that
- The City of Markham have no participation in the financing of the GTA Centre (MSECC) project, and that
- All work and negotiations on operating and cost-sharing agreements related to the GTA Centre project be terminated, and that
- The GTA Sports and Entertainment Centre consortium be advised it may continue to pursue site plan approval at its sole discretion, cost and risk.

**Note: Council consented to consider this motion at a Council meeting in January 2013.**

(2) COMPLETE THE MARKHAM LIVE VISION &  
UPDATE THE DOWNTOWN MARKHAM CENTRE SECONDARY PLAN (10.0)

Moved by Regional Councillor Joe Li

Seconded by Regional Councillor Jim Jones

Motion: That site plan approval for the GTA Centre be deferred pending the outcome of a Secondary Planning process for the lands east of Tributary #4, south of the Rouge River Valley, east to Kennedy Road and north of 407 Highway.

Whereas planning and development within the area (lands south of the Rouge River, commonly called Downtown Markham and including approximately 125 acres around the Metrolinx hub commonly called Markham Live, boundaries Kennedy Road on the East, Tributary #4 on the west and 407 Highway on the south) in Markham Centre has been proceeding on a site by site basis rather than in accordance with an overall integrated strategy, and,

Whereas a comprehensive vision and plan is needed to shape and guide development in the area rather than allowing individual development applications to drive the plan; and

Whereas the area's public realm, streetscape, transportation and transit infrastructure are being adversely affected by uncoordinated development;

Therefore Be It Resolved that:

- The GTA Centre site plan is deferred until completion of a comprehensive plan and policies for the area with public input and participation.
- The visioning and planning for a new draft updated secondary plan done with total public participation.
- The City leads the visioning exercise and planning process and not developer driven.
- And the consortium be advised it may continue to pursue site plan approval at its' sole discretion, cost and risk.

**Note: Council consented to consider this motion at a Council meeting in January 2013.**

## 9. COMMUNICATIONS

Council consented to add Communication Nos. 77-2012 to 79-2012.

Moved by Councillor Alex Chiu

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

77-2012 ROAD CLOSURE REQUEST – MARKHAM SANTA CLAUS PARADE (3.5)

[Info](#)

The following roads will be closed on November 24, 2012 to facilitate the event:

#### 9:00 am to 1:00 pm

- Hwy 7 east of Wooten Way to west of Hwy
- Hwy 7 north of Main St North Markham Parkway
- Wooten Way west of Hwy 7
- Wideman street north of Hwy 7
- Christman Court south of Hwy 7
- Savannah cres north of Hwy 7
- Jerman Street north of Hwy 7
- Thomson Court West of Main street
- Washington street north of Hwy 7
- Albert Street & Hwy 7
- Centre Street east of Main street
- Robinson Street west of Main Street
- Albert Street north of Hwy 7
- Dublin Street west of Main Street

#### 7:00 am to 1:00 pm

- Robinson Street east of Main St Markham to George St

#### 9:00 am to 1:00 pm

- Wilson Street west of Main street
- Bullock Drive west of Main Street
- Parkway Avenue east of Main street
- Ramona Blvd west of George Street

#### 9:30 am to 11:00 am

- Reeves Drive

10:00 am to 1:00 pm

- Station Street west of Main Street
- Beech St west of Main Street
- Eby Way west of Main Street
- Springdale Ave west of Main Street
- Gleason Ave east of Main Street
- Peter Street, south of 16<sup>th</sup> Ave
- David Street west of Main St
- Pilkey Lane east of Main St
- Elizabeth Street, south of 16<sup>th</sup> Avenue
- Quarry Stone Ave south of 16<sup>th</sup> Ave (Local traffic only)
- 16<sup>th</sup> Ave east of Mingay Avenue r
- Heritage Corners north of 16<sup>th</sup> Ave (Local traffic only)
- Main St N east of Deer Park Lane
- Main St N, east & west of 16<sup>th</sup> Avenue
- Main St. N, north of Bur Oak Ave

**CARRIED**

78-2012

MARILYN GINSBURG, ON BEHALF OF GRANDVIEW AREA RESIDENTS ASSOCIATION, BAYVIEW GLEN RESIDENTS ASSOCIATION, WARD ONE SOUTH THORNHILL RESIDENTS INC. AND GERMAN MILLS RATEPAYERS ASSOCIATION – REQUESTING DEFERRAL OF THE ITEM TITLED "WATER SYSTEMS MANAGEMENT PRESENTATION #4 STORMWATER FUNDING OPTIONS" (5.5).

(Item No. 1, Report No. 54)

[Email](#)

**CARRIED****Received**

79-2012

ANNETTE CACOROVSKI – FORWARDING COMMENTS REGARDING THE ITEM TITLED "INTEGRITY COMMISSIONER & COUNCIL CODE OF CONDUCT" (9.0).

(Item No. 1, Report No. 57)

[Email](#)

**CARRIED**

**10. PROCLAMATIONS****(1) PROCLAMATION APPROVED (3.4)**

Moved by Councillor Valerie Burke  
Seconded by Councillor Don Hamilton

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

- International Day of Persons with Disabilities (December 3, 2012).

**CARRIED**

**11. NEW/OTHER BUSINESSES****(1) 2012 MARKHAM SANTA CLAUS PARADE AND FESTIVAL OF LIGHTS (3.5)**

Council was reminded of the Markham Santa Claus Parade being held on November 24, 2012, followed by the Markham Festival of Lights.

**12. BY-LAWS**

Council consented to add By-laws 2012-242 to 2012-246.

Moved by Councillor Alex Chiu  
Seconded by Councillor Howard Shore

That By-laws 2012-238 and 2012-240 and 2012-242 to 2012-246 be given three readings and enacted.

**Three Readings**

BY-LAW 2012-238 A BY-LAW TO AUTHORIZE THE USE OF INTERNET VOTING AS AN ALTERNATIVE VOTING METHOD DURING THE EARLY VOTE PERIOD FOR THE 2014 MUNICIPAL ELECTIONS.

[By-law](#)

**CARRIED**

- BY-LAW 2012-239 A BY-LAW TO AUTHORIZE THE USE OF OPTICAL SCANNING VOTE TABULATORS AND VOTE RECORDERS AS AN ALTERNATIVE VOTING METHOD FOR THE 2014 MUNICIPAL ELECTIONS  
[By-law](#)  
**CARRIED**
- BY-LAW 2012-240 CROWN OF MARKHAM INC. PHASE 2, PART LOT CONTROL EXEMPTION BY-LAW  
- A by-law to exempt Blocks 11, 12, 13, 14, 15 and 20, Plan 65M-4314 and Block 123, Plan 65M-4252 from the Part Lot Control Provisions of the *Ontario Planning Act*, east of Woodbine Avenue By-pass and south of Donald Buttress Blvd.  
[By-law](#)  
**CARRIED**
- BY-LAW 2012-242 A BY-LAW TO REGULATE WATER METERS – WATER METER BY-LAW.  
[By-law](#)  
(Item No. 7, Report No. 57)  
**CARRIED**
- BY-LAW 2012-243 A BY-LAW TO REPEAL SECTIONS 25 TO 33 FROM WATERWORKS SYSTEM BY-LAW 1602.  
(Replaced by new Water Meter By-law 2012-242)  
[By-law](#)  
(Item No. 7, Report No. 57)  
**CARRIED**
- BY-LAW 2012-244 A BY-LAW TO AMEND BY-LAW 211-83, AS AMENDED, A BY-LAW TO PRESCRIBE THE TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS  
[By-law](#)  
(Item No. 1, Report No. 58)  
**CARRIED**
- BY-LAW 2012-245 SERRA HOMES LIMITED, A BY-LAW TO ADOPT OFFICIAL PLAN AMENDMENT NO. 205, 23 WATER STREET  
[By-law](#)  
- To permit a townhouse development.  
(Item No. 3, Report No. 58)  
**CARRIED**

BY-LAW 2012-246 SERRA HOMES LIMITED, A BY-LAW TO AMEND BY-LAW 1229,  
AS AMENDED, 23 WATER STREET  
[By-law](#)  
- To permit a townhouse development.  
(Item No. 3, Report No. 58)

**CARRIED**

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

Moved by Councillor Carolina Moretti  
Seconded by Councillor Valerie Burke

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (9:54 p.m.):

#### **COUNCIL – November 20, 2012**

- (1) A MATTER IN RESPECT OF WHICH A COUNCIL, BOARD, COMMITTEE OR OTHER BODY MAY HOLD A CLOSED MEETING UNDER ANOTHER ACT (MINUTES OF IN-CAMERA COUNCIL MEETING - NOVEMBER 13, 2012)  
[Section 239 (2) (g)]
  
- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (10.3, 10.5, 10.7)  
[Section 239 (2) (e)]

#### **GENERAL COMMITTEE – November 19, 2012**

- (3) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE RESIGNATION)  
[Section 239 (2) (b)]
  
- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (BOARD/COMMITTEE APPOINTMENTS)  
[Section 239 (2) (b)]

- (5) THE SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD. A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD. ADVISE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE

[Section 239 (2) (a) (c) (f)]

- (6) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (QUEEN ELIZABETH II DIAMOND JUBILEE MEDAL NOMINATION)

[Section 239 (2) (b)]

**CARRIED**

Moved by Councillor Colin Campbell  
Seconded by Councillor Logan Kanapathi

That Council rise from the in-camera session and report. (10:37 p.m.)

**CARRIED**

The items were reported out as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- NOVEMBER 13, 2012 (16.0)

Moved by Councillor Valerie Burke  
Seconded by Councillor Alex Chiu

That the minutes of the in-camera Council meeting held on November 13, 2012, be confirmed.

**CARRIED**

## (2) INSTRUCTIONS REPORT

## OMB APPEALS:

- (1) TIMES GROUP INC. (1820266 ONTARIO INC.), 4002/4022 HIGHWAY 7 (OPA 11 129271 AND ZA 11 129271
- (2) LEE DEVELOPMENTS (UNIONVILLE DEVELOPMENT CORPORATION), 3972 HIGHWAY 7 (OPA 12 111399 AND ZA 12 111399)
- (3) ALEX SHAW (2124123 ONTARIO LIMITED), 3940 HIGHWAY 7 (OPA 07 134436, ZA 07 134461 AND SU 07 134454) NORTH SIDE OF HIGHWAY 7 IN THE VICINITY OF VILLAGE PARKWAY (10.3, 10.5, 10.7)

Moved by Councillor Howard Shore

Seconded by Regional Councillor Joe Li

- 1) That the report dated November 6, 2012 entitled “Instructions Report, OMB Appeals, Times Group Inc. (1820266 Ontario Inc.), 4002/4022 Highway 7; Lee Developments (Unionville Development Corporation), 3972 Highway 7; Alex Shaw (2124123 Ontario Limited), 3940 Highway 7; North side of Highway 7 in the vicinity of Village Parkway”, be received; and,
- 2) That the City Solicitor or her designate be directed to attend the OMB hearing and to hire expert witness(es) if available, to oppose the applications by Times Group Inc., Lee Developments, and Alex Shaw and indicate to the OMB that the City does not support the increase in the number of units and overall high density; and supports an increase in the number of larger size units achieving higher average square foot per unit and an evaluation of single family dwellings vs parkland; and
- 3) That the City file a motion at the Ontario Municipal Board seeking firstly, an adjournment of the hearing on the grounds that consideration of the appeals is premature absent a comprehensive review of development plans and development opportunities in the area including the lands abutting the subject properties located within the area of OPA 15 with full public consultation, including public meetings to facilitate public review of and comment on all necessary studies and reports, and secondly, an extension of the time for filing witness statements; and,
- 4) That the OMB be requested to hold an evening session to hear public input; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

## (3) BOARD/COMMITTEE RESIGNATION (16.24)

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

That the resignation of Councillor Carolina Moretti from the Canada Day Committee be received with regret for information purposes.

**CARRIED**

On behalf of Council, Mayor Frank Scarpitti thanked Councillor Carolina Moretti for all her dedicated years of service on the Canada Day Committee.

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

Moved by Councillor Alex Chiu  
 Seconded by Councillor Carolina Moretti

- 1) That the following persons be appointed to the Environmental Advisory Committee:

Name	Term
Mark Angelini	November 30, 2016
Karl Lyew	November 30, 2016

; and,

- 2) That the following persons be appointed to the Seniors Hall of Fame Committee:

Name	Term
Pearl Mantell	November 30, 2016
Jim Dornan	November 30, 2015
Angie Hever	November 30, 2014
Zavina Kheir	November 30, 2015

; and further,

- 3) That the following persons be appointed to the Board of Management of the Unionville Business Improvement Area:

Name	Term
Tom Vasilovsky	November 30, 2014
Paul Vasilovsky	November 30, 2014

**CARRIED**

- (5) SECURITY OF THE PROPERTY OF THE MUNICIPALITY,  
PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND AND  
SOLICITOR-CLIENT PRIVILEGE MATTER (8.2)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Colin Campbell

- 1) That the confidential report dated November 12, 2012 from the City Solicitor, Chief Administrative Officer and Commissioner of Community and Fire Services regarding a security of the property of the municipality, proposed or pending acquisition or disposition of land and solicitor-client privilege matter, be received; and,
- 2) That staff be authorized to proceed as directed by Council on November 20, 2012.

**CARRIED**

- (6) QUEEN ELIZABETH II DIAMOND JUBILEE MEDAL NOMINATION (12.2.6)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Don Hamilton

That staff be authorized to proceed as directed by Council on November 20, 2012 regarding the Queen Elizabeth II Diamond Jubilee Medal Nomination.

**CARRIED**

#### **14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

That By-law 2012-241 be given three readings and enacted.

#### **Three Readings**

BY-LAW 2012-241 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL  
MEETING OF NOVEMBER 20, 2012.  
[By-law](#)

**CARRIED**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu  
Seconded by Councillor Valerie Burke

That the Council meeting be adjourned at 10:42 p.m.

**CARRIED**

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MARTHA PETTIT  
ACTING CITY CLERK

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FRANK SCARPITTI  
MAYOR

(Signed)