



COUNCIL MINUTES

June 12, 2012, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 12

Alternate formats for this document are available upon request

ROLL CALL

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

STAFF

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community and Fire Services
Trinela Cane, Commissioner of Corporate Services
Catherine Conrad, Town Solicitor
Kimberley Kitteringham, Town Clerk
Martha Pettit, Deputy Town Clerk
Joel Lustig, Treasurer
Dennis Flaherty, Director, Communications & Community Relations
John Wong, Technology Support Specialist
Michelle Gibbons, Mayor's Office Receptionist
Cecilia Murphy, Mayor's Scheduler

The regular meeting of Council convened at 7:06 p.m. on June 12, 2012 in the Council Chamber. Mayor Frank Scarpitti presided.

At 11:45 p.m., Council passed a motion to waive Section 3.28 of Procedural By-law 2001-1 allowing the meeting to continue further than 12:01 a.m. on June 13, 2012, if required. The motion moved by Councillor Alex Chiu and seconded by Councillor Don Hamilton was carried by two-thirds vote of the Members present.

Council welcomed the new Commissioner of Corporate Services Trinela Cane and Deputy Town Clerk Martha Pettit to the Town of Markham.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Councillor Carolina Moretti disclosed a pecuniary interest with respect to Item No. 8, Report No. 36 titled "June 2012 - Cancellation, Reduction or Refund of Taxes Under Sections 357 and 358 of The Municipal Act, 2001" (related to 82 Peter Street matter only) as she is the owner of 82 Peter Street, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.
- (2) Mayor Frank Scarpitti disclosed a pecuniary interest with respect to Item No. 10, Report No. 36 titled "Enbridge Community Retrofit Pilot" as a member of his family lives in the subject area, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

2. MINUTES

- (1) COUNCIL MINUTES – MAY 29, 2012
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on May 29, 2012, be adopted.

CARRIED

3. PRESENTATIONS

- (1) RECOGNITION OF JOHN WEBSTER
- TOWN CRIER FOR THE TOWN OF MARKHAM (12.2.6)

Council recognized Mr. John Webster, celebrating his 25th Anniversary for being a Crier for the Town of Markham.

(2) MARKHAM DISTRICT ENERGY SUSTAINABILITY
BURSARY AWARDS CEREMONY (12.2.6)

Mr. Bruce Ander, President and CEO, Markham District Energy Inc., provided background information on the Markham District Energy Sustainability Bursary. He introduced Peter Ronson, Vice President and Emily Turney, Executive Assist, Markham District Energy Inc. to Council.

Markham District Energy Inc. established the Markham District Energy Sustainability Bursary Program to help cultivate and nurture environmental leadership. The bursary encourages and rewards graduating high school students who have distinguished themselves through environmental community service, extracurricular and volunteer activities, and academic excellence; and who intend to study sciences related to the environment at a Canadian post-secondary institution.

Council extended congratulations to the recipients of the 2012 Markham District Energy Sustainability Bursary. The recipients were presented with a trophy as follows:

York Region Catholic School Board:

Jeremy Truong, Father Michael McGivney Catholic Academy
Tiffany Au, Saint Augustine Catholic High School
Marck Mercado, Saint Brother Andre Catholic High School
Jeff Sun, Saint Robert Catholic High School

York Region Public School Board:

Ashley Papadamou, Bill Crothers Secondary School
June Chen, Bur Oak Secondary School
Kisa Iqbal, Markham District High School
Arielle Ramsundar, Markville Secondary School
Anoushka Irani, Middlefield Collegiate
Zara Tahir, Milliken Mills High School
Shehroz Hussain, Pierre Elliot Trudeau High School
Jacob Goldstein, Thornhill Secondary School
Owen Gu, Thornlea Secondary School
Kevin Ng, Unionville High School

(3) 2012 MAYOR'S SENIORS HALL OF FAME AWARDS (12.2.6)

Council extended congratulations to the recipients of the 2012 Mayor's Seniors Hall of Fame Awards. The Mayor's Seniors Hall of Fame Award is presented to a nominee over 60 years of age who has made a unique and outstanding contribution to the Markham Community. The Mayor's Seniors Hall of Fame Winner for 2012, the Meritorious Award and the Certificate of Appreciation, are awarded to nominees for their unique or outstanding achievements.

Ms. Gail Leet, Chair, Mayor's Senior Hall of Fame Awards Committee, presented the following awards:

2012 Hall of Fame Award

- Dorothy Gilbert

2012 Meritorious Award

- Mahesh Chokshi

- Ratilal Patel

2012 Certificate of Appreciation

- Hal Hill

- Paul Kearns

- Randolph Po

4. DELEGATIONS

- (1) DELEGATIONS
- MILNE DAM CONSERVATION AREA
AS PART OF ROUGE NATIONAL URBAN PARK (5.7)
(Motion Item No. 2)

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

- 1) That the following delegations regarding the motion titled "Milne Dam Conservation Area as Part of Rouge National Urban Park" be received:
1. Gord Walter, Sherwood Amber Glen Ratepayers Association, spoke in opposition to the proposed motion.
 2. Tupper Wheatley, Milne Park Conservation Association, spoke in support of the proposed motion.
 3. Maureen Cowan, Sherwood South Ratepayers Community Group, spoke in support of the proposed motion.
 4. Shelley Bourne, Boyington Heights Ratepayers Association Inc., spoke in support of the proposed motion.
 5. Karen O'Neil, Boyington Heights Ratepayers Association Inc., spoke in support of the proposed motion.
 6. Joyce Ramer, spoke in support of the proposed motion.
 7. Jim Robb, Friends of the Rouge, spoke in support of the proposed motion.

CARRIED

(See following to consider the proposed subject motion)

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

That Council consider the motion titled "Milne Dam Conservation Area as Part of Rouge National Urban Park" immediately following the delegations with respect thereto.

(See Motion Item No. 2 for Council's decision on this matter)

CARRIED

(2) DELEGATIONS

- REQUEST TO THE PROVINCE TO AMEND THE MUNICIPAL ACT
TO REQUIRE DIRECT ELECTION OF THE CHAIR OF COUNCIL (13.4)
(Motion Item No. 1)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

- 1) That the following delegations regarding the motion titled "Request to the Province to Amend The Municipal Act to Require Direct Election of the Chair of Council" be received:

1. Karen Rea, spoke in support of the proposed motion.
 2. Annette Cacorovski, spoke in support of the proposed motion.
 3. Leon Brumer, spoke in opposition to the proposed motion.
- (See Motion Item No. 1 for Council's decision on this matter)

CARRIED

5. PETITIONS

Council consented to add Petition Item No. 1

- (1) PETITION IN SUPPORT OF THE NAMING OF THE
NEW COMMUNITY CENTRE AND LIBRARY IN EAST MARKHAM AS
"CORNELL COMMUNITY CENTRE AND LIBRARY" (6.6)

[Petition](#)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Gord Landon

- 1) That the petition signed by approximately 548 residents in support of naming the new Community Centre and Library in east Markham as "Cornell Community Centre and Library" be received.

CARRIED

6(a) REPORT NO. 36 - GENERAL COMMITTEE (June 11, 2012)

Council consented to add Report No. 36 and to separate Items Nos. 4, 8 and 10.

Moved by Councillor Carolina Moretti

Seconded by Deputy Mayor Jack Heath

That Report No. 36 – General Committee comprised of 10 items be received and adopted, except Item Nos. 4, 8 and 10. (See following Item Nos. 4, 8 and 10)

(1) DEVELOPMENT CHARGE UPDATE (7.11)

[Presentation](#)

- 1) That the presentation by Mark Visser, Senior Manager Financial Strategy & Investment, entitled “Development Charge Update ” be received; and,
- 2) That a Council Development Charge Subcommittee be endorsed; and further,
- 3) That the Chair and Vice Chair of the Finance and Administrative Issues; Chair and Vice-Chair of the Development Services Committee, and the Chair and Vice Chair of the Budget Subcommittee be appointed to the Council Development Charge Subcommittee.

CARRIED

(2) DEVELOPMENT CHARGE REIMBURSEMENT
BOX GROVE DEVELOPERS GROUP INC. (7.11)

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

- 1) That the report entitled “Development Charge Reimbursement – Box Grove Developers Group Inc.” be received; and,
- 2) That Council authorize Town Wide Hard Development Charge reimbursement for the lesser of \$573,813 (the amount included in the 2008 Development Charge Background Study) and the actual cost of the infrastructure (currently estimated at \$555,043) to Box Grove Developers Group Inc., for the construction of sidewalks and illumination on the Box Grove Collector Road (future Don Cousens Parkway); and,
- 3) That the Mayor and Clerk be authorized to execute a Development Charge Reimbursement Agreement in conjunction with the Box Grove Collector Road & 14th Avenue Realignment Construction and Reimbursement Agreement dated March 2, 2012 with Box Grove Developers Group Inc.; and,

- 4) That the Development Charge Reimbursement Agreement be prepared in accordance with the Town's Development Charge Credit and Reimbursement Policy, with Box Grove Developers Group Inc. or their successors, to the satisfaction of the Treasurer and Town Solicitor; and further,
- 5) That staff be directed to do all things necessary to give effect to this report.

CARRIED

(3) PAYMENT ACCEPTANCE POLICY (7.0)

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

- 1) That the report entitled "Payment Acceptance Policy" be received; and,
- 2) That Council approve the Payment Acceptance Policy; and,
- 3) That existing "Credit Card Acceptance Policy" be replaced by the attached "Payment Acceptance Policy"; and,
- 4) That the maximum credit card transaction limit be increased to \$5,000; and,
- 5) That during the next CPI fee increase all user fees within the current Markham Fee Bylaw (2002-276) be increased by 0.5% in addition to the CPI increase; and,
- 6) That the projected merchant fee cost be incorporated into the 2013 Planning Applications Fee Bylaw (211-83) and the Building Permit Fees Bylaw (2011-62) updates; and,
- 7) That all future Markham fees incorporate the cost of Credit & Debit Card Merchant fees; and further,
- 8) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) POSTPONEMENT OF MARKHAM'S DEBT
FROM POWERSTREAM AND MARKHAM
DISTRICT ENERGY INC. – DELEGATED AUTHORITY (8.0)

[Report](#)

- 1) That the report entitled "Postponement of Markham's Debt from PowerStream and Markham District Energy Inc. – Delegated Authority" dated June 6, 2012 be received; and,
- 2) That the Mayor and Clerk be authorized and directed to execute postponements of Markham's Promissory Note or other debt from PowerStream, and any other documents required, to facilitate PowerStream refinancing initiatives from time to time, subject to approval of the Chief Administrative Officer; and,
- 3) That the Mayor and Clerk be authorized and directed to execute postponements of Markham District Energy debt to Markham, and any other documents required, to facilitate Markham District Energy Inc. financing or re-financing initiatives from time to time; and,
- 4) That a brief presentation be provided at the June 25, 2012 Markham Enterprises Corporation regarding this proposal; and,
- 5) That PowerStream and Markham District Energy Inc. update Markham Enterprises Corporation's Board of Directors, as required, on their debt and any upcoming financing initiatives requiring action or approval by the Town of Markham or Markham Enterprises Corporation; and further,
- 6) That staff be directed to do all things necessary to give effect to the recommendations of this report.

CARRIED

Council consented to amend Resolution No. 5 as follows:

- Add the words "...and Markham District Energy Inc..." after the word "...Powerstream..."
- Replace the word "...quarterly..." with the words "...as required..." before the words "...on their debt..."

(5) PROHIBITING THE KEEPING OF AFRICAN DWARF FROGS IN MARKHAM (2.8)

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

- 1) That the report titled 'Prohibiting the Keeping of African Dwarf Frogs in Markham' be received; and,
 - 2) That Attachment 'A' - the 'Proposed Amendment to the Animal Control By-law to Prohibit the Keeping of African Dwarf Frog By-law' be enacted; and,
 - 3) That this report be forwarded to the Association of Municipalities of Ontario (AMO) and all local Municipalities in the Region of York; and further,
 - 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2012-136)

CARRIED

(6) 091-S-12 WARD BOUNDARY REVIEW PROCESS (9.2)

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

- 1) That the report entitled "091-S-12 Ward Boundary Review Process" be received; and,
- 2) That the "2012 Markham Ward Boundary Review – Terms of Reference" be approved; and,
- 3) That the tendering process be waived in accordance with Purchasing By-Law 2004-341 Part II, Section 7, Item 1(h), Non Competitive Procurement, and staff be authorized to award a contract to Dr. Robert Williams for consulting services for the 2012 Ward Boundary Review Process in the amount of \$31,816.69 (including disbursements and HST); and,
- 4) That the Ward Boundary Review in the amount of \$31,816.69 be funded from account #310-101-5699-12089 "Establishment of New Ward Boundaries"; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(7) CONSOLIDATION OF THE BY-LAW LICENSING,
PERMIT AND SERVICES FEES (2.0)

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

- 1) That the report titled “Consolidation of the By-law Licensing, Permit and Service Fees” be received for information purposes; and
 - 2) That Attachment ‘A’ - Consolidated Licensing, Permit and Service Fee By-law be enacted to provide for the consolidation of the licensing, permit and service fees collected by the By-law Enforcement and Licensing Section of Legislative Services; and
 - 3) That By-law 2002-276 be amended by deleting the Corporate Services – By-law and Enforcement License Fee Table; and
 - 4) That By-law 2002-284 be repealed; and further,
 - 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2012-137)

CARRIED

(8) JUNE 2012 - CANCELLATION, REDUCTION
OR REFUND OF TAXES UNDER *SECTIONS*
357 AND 358 OF THE MUNICIPAL ACT, 2001 (7.3)

[Report](#)

- 1) That taxes totalling approximately \$446,528.88 be adjusted under Section 357 (in the amount of \$346,965.34) and Section 358 (in the amount of \$99,563.54) of the *Municipal Act, 2001* of which the Town’s portion is estimated to be \$79,154.46; 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 further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(Councillor Carolina Moretti abstained on 82 Peter Street matter)
(See following for the adoption of 82 Peter Street matter only)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That Item No. 8, Report No. 36, titled "June 2012 - Cancellation, Reduction or Refund of Taxes Under Sections 357 and 358 of The Municipal Act, 2001" (related to 82 Peter Street only), be adopted.

CARRIED
(Councillor Carolina Moretti abstained)

(9) **NAMING OF THE NEW COMMUNITY CENTRE &
LIBRARY IN EAST MARKHAM (6.6)**
[Report](#)

- 1) That the report "Naming of the new Community Centre and Library in East Markham" be received; and,
- 2) That Council approve "Cornell Community Centre and Library" as the name for the new centre in east Markham; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(10) **ENBRIDGE COMMUNITY RETROFIT PILOT (5.7)**
[Report](#)

- 1) That Markham partner with Enbridge Gas Distribution and others to develop and implement a natural gas conservation pilot community retrofit in postal area L3P; and,
- 2) That up to \$25,000 of funding from account 230-10153999345 Green Print Community Sustainability Plan be allocated for marketing and promotion of this pilot to the Community; and,
- 3) That, funding be contingent on Greenprint messaging and Markham branding appearing in all program marketing materials to the satisfaction of the Sustainability Office and Communications and Community Relations; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED
(Mayor Frank Scarpitti abstained)

6(b) REPORT NO. 37 - DEVELOPMENT SERVICES COMMITTEE (June 12, 2012)

Council consented to add Report No. 37 and to separate Item No. 4.

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Joe Li

That Report No. 37 – Development Services Committee comprised of 6 items be received and adopted.

(1) ELIGIBILITY OF JAMES BRANDER HOUSE FOR
RELOCATION TO MARKHAM HERITAGE ESTATES
31 HELEN AVENUE (16.11)
[Report](#)

- 1) That Heritage Markham recommends to Council that the James Brander House at 31 Helen Avenue be declared eligible for relocation to Markham Heritage Estates, due to its cultural heritage value or interest, threatened state, and the absence of either short or long-term uses by the owner; and,
- 2) That the relocation of the frame rear wing of the building is supported if a future owner wishes to retain it; and,
- 3) That the current owner undertake the necessary work to make the roof of the brick portion watertight to prevent further deterioration pending future relocation of the building; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (2) CEDARDALE MARKHAM INC.
APPLICATION FOR SITE PLAN APPROVAL
OF PHASE 1 OF A HIGH DENSITY MIXED USE
DEVELOPMENT AT THE SOUTH-EAST CORNER
OF HIGHWAY 48 AND CASTLEMORE AVENUE
(9809 HIGHWAY 48) (SC 09 129428) (10.6)
[Report](#)

- 1) That the report dated June 12, 2012 and titled “RECOMMENDATION REPORT, Cedardale Markham Inc., Application for Site Plan Approval of Phase 1 of a high density mixed use development at the south-east corner of Highway 48 and Castlemore Avenue (9809 Highway 48), File No. SC 09 129428,” be received; and,
- 2) That the Site Plan Application (File No. SC 09 129428) submitted by Cedardale Markham Inc. to facilitate an 18-storey building with 252 apartment units and non-residential uses at grade, being Phase 1 of a high density mixed use development, be endorsed in principle, subject to the conditions attached as Appendix ‘A’; and,
- 3) That site plan approval be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director or his designate has signed the plan; and,
- 4) That 252 units of 2011/2012 allocation be granted (less the 35% LEED Silver Bonus) to the proposed Phase 1 development; and,
- 5) That prior to the Director of Planning and Urban Design endorsing the site plan, the applicant shall submit to the Town final confirmation of the 35% (88 units) servicing allocation credits from the Region of York under their “Sustainable Development Through LEED” policy; and,
- 6) That the Town reserves the right to revoke or reallocate servicing allocation should the development not proceed in a timely manner; and,
- 7) That the Mayor and Clerk be authorized to execute a Section 37 Agreement with the Owner; and,
- 8) That the Owner provide the Town with the required payment of 60% planning processing fees in accordance with the Town’s applicable Fee By-Law; and,
- 9) 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 further,

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

CARRIED

- (3) FOREST BAY HOMES
ZONING BY-LAW AMENDMENT AND
SITE PLAN APPLICATIONS TO FACILITATE
RESIDENTIAL DEVELOPMENT AT THE
SOUTH-EAST CORNER OF DENISON STREET
AND MARKHAM ROAD
(ZA & SC 11 115754) (10.5, 10.6)

[Report](#)

- 1) That the report titled “RECOMMENDATION REPORT, Forest Bay Homes, Zoning By-law amendment and site plan applications to facilitate residential development at the south-east corner of Denison Street and Markham Road, File Nos: ZA & SC 11 115754,” dated May 22, 2012 be received; and,
- 2) That the record of the Public Meeting held on February 21, 2012 regarding the application (ZA 11 115754) to amend Zoning By-law 90-81, as amended, be received; and,
- 3) That the application (ZA 11 115754) submitted by Forest Bay Homes to amend Zoning By-law 90-81, as amended, to facilitate residential development at the south-east corner of Denison Street and Markham Road, be approved, and the draft By-law be finalized and enacted without further notice; and,
- 4) That the site plan application (SC 11 115754) submitted by Forest Bay Homes to facilitate residential development at the south-east corner of Denison Street and Markham Road be endorsed in principle, subject to conditions attached as Appendix ‘A’ ; and,
- 5) That Site Plan Approval (SC 11 115754) be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director has signed the site plan; and,
- 6) That conditional 2011 servicing allocation for 28 townhouses and 30 semi-detached dwellings be assigned to the proposed development; and,
- 7) That the Town reserves the right to revoke or reallocate the servicing allocation should 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

(4) **HYDRO UNDERGROUNDING UPDATE (5.0)**

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

- 1) That the staff report entitled “Hydro Undergrounding Update” be received; and,
- 2) That staff report back as to the results of PowerStream’s development of criteria and principles for funding of undergrounding of overhead hydro distribution systems and potential application to the Ontario Energy Board (OEB) for partial funding in their 2013 rates; and,
- 3) That construction of the Hwy 7 Pilot Project (from west of Rodick Road to the tracks east of Sciberras Road) for undergrounding of existing power and utility lines on existing roads, including hydro, telecommunication and streetlight circuits, be deferred pending availability of funding; and,
- 4) That the detailed electrical engineering design of undergrounding hydro from Town Centre Blvd to the tracks East of Sciberras Road in the amount of \$414,810 not proceed at this time; and,
- 5) That York Region be requested to continue protecting a corridor of sufficient width in the current design for the future undergrounding of the overhead hydro distribution system and utilities in the Highway 7 right of way from Rodick Road to Sciberras Road to the satisfaction of the Director of Engineering and PowerStream; and,
- 6) That staff pursue, at the site plan application stage for development abutting the roads identified under Tables 1 and 2 of this report, funding from the developers for the undergrounding of overhead utilities abutting their site; and,
- 7) That York Region be requested to expedite the reconstruction of Highway 7 from Town Centre Boulevard to Sciberras Road; and,
- 8) That Mayor Frank Scarpitti and Regional Councillor Jim Jones review related policy issues and report back to the Committee as appropriate; and further,

- 9) That the appropriate individuals at PowerStream, York Region and VIVA be advised accordingly.

CARRIED BY A RECORDED VOTE (8:4)

(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Valerie Burke, Councillor Howard Shore, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alex Chiu. (8)

NAYS: Regional Councillor Jim Jones, Regional Councillor Joe Li, Councillor Don Hamilton, Councillor Alan Ho. (4)

ABSENT: Councillor Logan Kanapathi. (1)

(5) **AWARD OF TENDER 072-T-12 REHABILITATION OF
JOHN STREET CNR OVERHEAD BRIDGE (B42) (5.10)**
[Report](#)

- 1) That the report entitled “Award of Tender 072-T-12 Rehabilitation of John Street CNR Overhead Bridge (B42)” be received; and,
- 2) That tender 072-T-12 for the Rehabilitation of John Street CNR Overhead Bridge (B42) be awarded to the lowest priced Bidder, Marbridge Construction Ltd. in the amount of \$941,987.23 inclusive of HST impact; and,
- 3) That a contingency be established in the amount of \$37,679.49 (4% of construction award) inclusive of HST impact to cover any additional construction costs; and,
- 4) That the existing purchase order # PD 10227 with G.D. Jewell Engineering Inc. to provide additional contract administration and construction services be increased in the amount of \$50,316.38, inclusive of HST impact; and,
- 5) That the award be funded from available funds in 2010 capital account 058-5350-10267-005 “Bridge Improvement-John St. W of Leslie St.” in the amount of \$607,266; and,
- 6) That the shortfall of \$422,717 be funded from available surplus in capital account 058-6150-8464-005 “Bridge Improvement - Green Lane (W of Leslie)” with funds to be transferred into capital account 058-6150-10267-005 “Bridge Improvements – John St. W of Leslie St; and further,

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

CARRIED

(6) AWARD OF CONSTRUCTION TENDER 077-T-12
WATERMAIN REPLACEMENT AND STORM SEWER
INSTALLATION MAIN STREET MARKHAM
- HIGHWAY 7 TO BULLOCK DRIVE (5.4, 5.5)
[Report](#)

- 1) That the report entitled “Award of Construction Tender 077-T-12 Watermain Replacement and Storm Sewer Installation Main Street Markham – Highway 7 to Bullock Drive” be received; and,
- 2) That the contract for 077-T-12 Award of Construction Tender 077-T-12 Watermain Replacement and Storm Sewer Installation Main Street Markham – Highway 7 to Bullock Drive be awarded to the lowest priced bidder, Sam Rabito Construction Ltd., in the amount of \$1,668,668.62, inclusive of HST impact; and,
- 3) That a contingency amount of \$166,866.86 (10%), inclusive of HST impact, be established to cover any additional costs and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
- 4) That the existing purchase order # PD 11169 with Morrison Hershfield to provide detailed design be increased (from \$280,317.25 to \$383,689.13) to include the amount of \$103,371.88, inclusive of HST impact, to provide the contract administration services in accordance with RFP # 008-R-11; and,
- 5) That a contingency in the amount of \$15,505.78 (15%), inclusive of HST impact, be established to cover any additional costs related to contract administration services and that authorization to approve expenditures of this contingency amount up to the specified limit be in accordance with the Expenditure Control Policy; and,
- 6) That the Engineering Department Project Management Fee in the amount of \$146,580.99 be funded from Capital Accounts 053-6150-12334-005 “Sanitary Sewer System Upgrade/Rehabilitation Program”, 058-6150-12403-005 “Storm Sewer Upgrade – Main Street Markham from Hwy 7 to Bullock Drive” and 058-6150-12328-005 “Watermain Construction & Replacement Program”; and,

- 7) That the award be funded from the Capital Accounts 053-6150-12334-005 “Sanitary Sewer System Upgrade/Rehabilitation Program”, 058-6150-12403-005 “Storm Sewer Upgrade – Main Street Markham from Hwy 7 to Bullock Drive” and 058-6150-12328-005 “Watermain Construction & Replacement Program” as outlined under the financial template section of the report; and,
- 8) That the funding shortfall in the amount of \$495,364.40 be funded from other components within the Capital Budget account 058-6150-12328-005 “Watermain Construction & Replacement Program” in the amount of \$55,993.73, and the remaining shortfall of \$439,370.67 will be funded from the return of funds from the upcoming closure of capital projects that will be tabled at the June 18th General Committee; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

7. MOTIONS

- (1) REQUEST TO THE PROVINCE TO AMEND THE MUNICIPAL ACT TO REQUIRE DIRECT ELECTION OF THE CHAIR OF COUNCIL (13.4)

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

Whereas prior to 1971 the Governance model for the Municipality of the County of York was a Council of elected Mayors and or Reeves and deputy Mayors or Reeves from the constituent Municipalities, and

Whereas the head of Council was a Warden along with a Deputy Warden appointed by council from the membership of the York County Council, and

Whereas in 1971 the Province of Ontario dissolved the former County of York and through the Region of York Act, created the Region of York, and

Whereas the Province also through boundary adjustment and amalgamation created the nine municipalities that together now make up the Region of York, and

Whereas the province of Ontario appointed the first Chairman of the Region of York, and

Whereas the responsibilities of the Region of York at that time were limited in scope to little more than that of the previous County Government, and

Whereas the Region of York act as all other Regions created at that time were to grow and provide additional services previously provided by the Provincial Government, and

Whereas the practice of an appointed Chairman has continued for over Forty Years, even though the population of the Region has increased from less than 250,000 residents in 1971 to in excess of 1,050,000 residents in 2011, and

Whereas the population of the Region of York is in excess of the population of Newfoundland and Labrador, (510,000), Prince Edward Island (146,000), Nova Scotia (946,000), New Brunswick (756,000) and about even with Saskatchewan (1,057,900) and if going to overtake the population of the Province of Manitoba within the present planning horizon. These populations are from the 2011 Stats Canada Census, and

Whereas the Chairman of the region of York is one of the most powerful politicians in the Province, but is only accountable to a simple majority of the membership of the York Region Council, and

Whereas to be appointed Chairman of the Region of York Council requires 11 votes or approximately 0.0000109934 percent of the population or approximately 0.0000275 percent of the eligible voters in the Region, and

Whereas the Prime Minister, all Federal Ministers, Premiers and all Provincial Ministers must hold an elected position in a riding prior to being eligible to vote on any issues, and

Whereas the present process of Council appointing their own chair deprives the residents from hearing what the platform and agenda of the individuals running for the most senior position in the Region of York is to be, and

Whereas that agenda affects all of our lives whether it be Policing, Regional Planning, Roads, Public Housing, Public Transportation, Water and Sewer Services, Emergency Services and all other Regional Services provided, and

Whereas the role of Chairman has grown to the point that appointing from within the elected Council will not get the Regional Platform or agenda out to the residents as a whole,

Now therefore be it resolved:

- 1) That the Province of Ontario pass enabling legislation to require the head of the Regional Municipality of York to be elected by general vote in accordance with the Municipal Elections Act, 1996, beginning in the 2014 Municipal Election; and,

- 2) That this motion be sent to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Kathleen Wynne Minister of Municipal Affairs and Housing, the Honourable Tim Hudak leader of the Opposition, Andrea Horwath Leader of the NDP, and all MPPs in York Region.

MOTION LOST BY A RECORDED VOTE (5:6)

(See following recorded vote)

(See following to receive the delegations)

(See following background information)

Recorded vote (5:6):

YEAS: Regional Councillor Jim Jones, Regional Councillor Joe Li, Councillor Don Hamilton, Councillor Colin Campbell, Councillor Alan Ho. (5)

NAYS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Councillor Valerie Burke, Councillor Howard Shore, Councillor Carolina Moretti, Councillor Alex Chiu. (6)

ABSENT: Regional Councillor Gord Landon, Councillor Logan Kanapathi. (2)

Motion to receive the delegations:

Moved by Regional Councillor Jim Jones

Seconded by Regional Councillor Joe Li

That the delegations regarding the motion titled "Request to the Province to Amend The Municipal Act to Require Direct Election of the Chair of Council" be received.

(See Delegation Item No. 2)

CARRIED

Background information:

- February 28, 2012 - The notice of this motion was given to Council.
- March 20, 2012 - Council referred the motion to a Workshop in May 2012.
- May 7, 2012 - Council held a workshop and referred the motion to the Council meeting this date, June 12, 2012.

(2) MILNE DAM CONSERVATION AREA
AS PART OF ROUGE NATIONAL URBAN PARK (5.7)

Moved by Councillor Carolina Moretti
Seconded by Regional Councillor Gord Landon

Whereas the Milne Dam Conservation Area is located within the Rouge River Watershed, is publicly owned and operated, and has been identified as part of the Rouge Park North lands since 2001 with the approval of the Rouge North Management Plan; and,

Whereas the Milne Dam Conservation Area was expanded by the Province of Ontario in 2004, in the context of Rouge Park North announcements; and,

Whereas the Milne Dam Conservation Area, owned by the Toronto Region Conservation Authority and operated by the Town of Markham, forms the largest publicly managed Conservation Area within the municipality, and is centrally located within Markham; and,

Whereas the Milne Dam Conservation Area has tremendous potential to form part of the Rouge National Urban Park, and to implement the vision and key themes of the Rouge Park, and in particular the goals of “connecting people to nature and history” and “conserving natural heritage”; and,

Whereas the Milne Park Conservation Association has requested that the Milne Dam Conservation Area be included in the Rouge National Urban Park; and,

Whereas Markham Council on May 31, 2011, reaffirmed that the Milne Dam Conservation Area is included in the Rouge Park North Management Plan, and resolved that Council will give consideration to recommending the inclusion of the Milne Dam Conservation Area as part of any future deliberations on the boundaries of a Rouge Valley National Urban Park; and,

Whereas Parks Canada has recently released the Rouge National Urban Park, Proposed Concept, May 2012, which includes a Study Area Map and a draft park concept; and,

Whereas Parks Canada is seeking public and stakeholder consultation on the Park Concept and proposed Park boundaries:

Now Therefore Be It Resolved As Follows:

- 1) That the Town of Markham officially request the Federal Government include the Milne Dam Conservation Area as part of the Study Area currently under consideration by Parks Canada; and,
- 2) That the Rouge Valley from Milne Dam Conservation Area to Steeles Avenue along the Rouge River, also be included in the Federal Rouge National Urban Park; and that the existing recreational uses including the golf courses be preserved, and that any proposals for future uses be subject to public consultation; and,

- 3) That the Federal Government be further requested to include the Milne Dam Conservation Area in Parks Canada's Rouge National Urban Park Proposed Concept, and subsequent strategic implementation documents and funding for the Park, with a focus on the key themes of "connecting people to nature and history" and "conserving natural heritage"; and further,
- 4) That a copy of this resolution be forwarded to the Prime Minister of Canada, the Federal Minister of Environment, local MPs and MPPs, the Regional Municipality of York, the City of Toronto and the Toronto and Region Conservation Authority (TRCA).

CARRIED AS AMENDED BY A RECORDED VOTE (8:4)

(See following recorded vote)

(See following to amend the proposed motion)

(See following to receive the delegations)

(See following to consider the matter)

(See following on the Notice)

Carried as amended by a recorded vote (8:4):

YEAS: Mayor Frank Scarpitti, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell. (8)

NAYS: Deputy Mayor Jack Heath, Councillor Howard Shore, Councillor Alan Ho, Councillor Alex Chiu. (4)

ABSENT: Councillor Logan Kanapathi. (1)

Amendment to the proposed motion:

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

That the following paragraph be added as Resolution No. 2:

- "2) That the Rouge Valley from Milne Dam Conservation Area to Steeles Avenue along the Rouge River, also be included in the Federal Rouge National Urban Park; and that the existing recreational uses including the golf courses be preserved, and that any proposals for future uses be subject to public consultation; and,"

CARRIED BY A RECORDED VOTE (8:4)

(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell. (8)

NAYS: Deputy Mayor Jack Heath, Councillor Howard Shore, Councillor Alan Ho, Councillor Alex Chiu. (4)

ABSENT: Councillor Logan Kanapathi. (1)

Motion to receive the delegations:

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

That the delegations regarding the motion titled "Milne Dam Conservation Area as Part of Rouge National Urban Park" be received.

(See Delegation Item No. 2)

CARRIED

Motion to consider the matter:

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

That Council consider the motion titled "Milne Dam Conservation Area as Part of Rouge National Urban Park" immediately following the delegations with respect thereto.

CARRIED

Notice of Motion:

The notice of this motion was given to Council at its meeting held on May 29, 2012.

(3) A FEDERAL AND PROVINCIAL ROLE IN URBAN FORESTRY (5.0)

Moved by Councillor Don Hamilton

Seconded by Regional Councillor Jim Jones

Whereas over 80% of Canadians now live in urban areas and have come to rely on the environmental, ecological and economic benefits of urban forests; and

Whereas the health of Canadians is sustained by their urban forests which provide services through improving air quality, cooling city streets and buildings, acting as a windbreak, shading from harmful UV rays, and filtering storm water, as well as beautifying our communities; and

Whereas neither the federal nor provincial governments currently include urban forestry in their mandates except in a limited role with respect to exotic, invasive pests; and,

Whereas the Canadian Food Inspection Agency has not been able to stop the spread of the Emerald Ash Borer throughout Ontario and Quebec; and,

Whereas the Emerald Ash Borer is expected to cost Canadians over \$2 Billion dollars in treatment and replanting; and,

Whereas Canadian forestry programs and research are solely focused on industrial forests and do not at present include urban tree planting, appropriate species research, and insect control and management; and,

Whereas other jurisdictions such as the United States Forest Service and the European Urban Forestry Research and Information Centre include urban forestry as a program and research area; and,

Whereas Canada engages municipalities in a number of substantial infrastructure programs;

Now therefore be it resolved:

- 1) That the Town of Markham request that the Federal and Provincial governments to take leadership roles in recognizing the need to support urban forestry, by establishing urban forestry mandates and programs which includes funding assistance to municipalities for the control and management of the Emerald Ash Borer and any future significant imported diseases and insects, as well as the creation and funding of programs designed to support the on-going sustainable management of urban forests; and,
- 2) That all municipalities across Ontario be encouraged to endorse this recommendation; and further,

- 3) That copies of this resolution be forwarded to The Honourable Gerry Ritz, Minister of Agriculture and Agri-Food; The Honourable Joe Oliver, Minister of Natural Resources; The Honourable Denis Lebel, Minister of Transport, Infrastructure and Communities; The Honorable Jim Flaherty, Minister of Finance; Local Federal Member of Parliament; John McCallum; Honourable Michael Gravelle, Minister of Natural Resources; Honourable Kathleen Wynne, Minister of Municipal Affairs and Housing; Honourable Dwight Duncan, Minister of Finance; Local Provincial Member of the Ontario Legislature, Michael Chan, Tim Hudak, MPP, Leader of Progressive Conservative Party of Ontario and the Opposition Party; Andrea Horvath, MPP, Leader of the New Democratic Party of Ontario; the Association of Municipalities of Ontario; Federation of Canadian Municipalities.

CARRIED

(See following on the Notice)

Notice of Motion:

The notice of this motion was given to Council at its meeting held on May 29, 2012.

8. NOTICES OF MOTIONS

(1) SABISTON LANDFILL (5.1)

Moved by Councillor Howard Shore

Seconded by Deputy Mayor Jack Heath

Whereas the former Sabiston landfill is located on the western portion of German Mills Settlers Park; and,

Whereas this area has become a very important ecosystem – a rare and important habitat that supports an abundance of flora and fauna, is part of the East Don watershed and has potential path linkages into East Don Parklands and Duncan Mills Creek; and,

Whereas a Public Open House was held on August 22, 2006; in November 2006 a ‘Q & A’ document was sent via mail to area residents including information on the history and operations of the landfill, studies completed to date, additional information on aerobic landfill technology and its potential impacts; and in December 2006 a site visit with residents to the Donlands Landfill site (aerobic) was completed and a further presentation to General Committee was made on March 23, 2009; and, on March 19, 2012 a further Public Open House with area residents was held; and,

Whereas at the Public Open House conducted by Town Staff and the Ward Councillor on Oct 4, 2006 it was noted that: *“all solid wastes safely contained within landfill”* and further that: *“off site migration of methane around the perimeter of the site (adjacent to the homes) are contained and below MOE levels”*; and,

Whereas the Ministry of Environment (MOE) regulations for control of landfill gas requires that methane gas concentrations “below the surface of the land at the boundary of the site be less than 2.5 percent by volume”. Continuous operation and maintenance of the perimeter gas collection system is required in order to meet the Certificate of Approval (C of A) requirements and to protect the neighbouring residences; and,

Whereas the monitoring of water samples could identify trends and potentially provide for rapid response to any contamination which would in turn enhance the health of the Creek and the creatures that live, feed, or spawn there; and,

Whereas the residents of German Mills generally, and particularly the neighbourhoods surrounding Settlers’ Park have consistently and emphatically expressed their desire to maintain the existing methane collection system and rejected the proposal for an Aerobic Bioreactor Landfill Technology;

Now therefore be it resolved:

- 1) That the existing methane gas collection system remain in place until confirmation is received that methane gas has been eliminated; and,
- 2) That there is no interest by the Town of Markham to host an Aerobic Bioreactor Landfill Technology pilot project and declare the matter is no longer under consideration; and,
- 3) That the subject lands be formally brought into the Markham park system and designated as the ‘German Mills Meadow and Natural Habitat’ as recognition of the unique and special character of this site; and,
- 4) That a redundancy system be established as a safety measure against any failure to the existing maintenance system, including the installation of a generator at the pump house; and,
- 5) That the frequency of monitor readings be increased from every two months to once per month as an additional safety measure and a Report to General Committee be provided annually; and further,
- 6) That a Leachate Collection System be installed to intercept discharge to German Mills Creek and protect the Creek from contamination and where possible, this System should be installed and operated in a manner that minimizes disruption to existing wildlife and vegetation.

9. COMMUNICATIONS

Council consented to add Communication Nos. 45-2012 to 50-2012.

Moved by Councillor Carolina Moretti

Seconded by Councillor Alex Chiu

Referred to all Members of Council

42-2012 LIQUOR LICENCE APPLICATION FOR MAIN SUSHI RESTAURANT, 2-144 MAIN STREET NORTH MARKHAM (3.21)

[Info](#)

Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ward 4) (Change of ownership application for previously licenced indoor areas)

CARRIED

43-2012 LIQUOR LICENCE APPLICATION FOR ENCORE KARAOKE AND LOUNGE LTD., 8601 WARDEN AVENUE, UNIT 26-30 (3.21)

[Info](#)

Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ward 3) (Change of ownership application for previously licenced indoor areas)

CARRIED

44-2012 ROAD CLOSURE REQUEST - MARKHAM STOUFFVILLE HOSPITAL BED RACE (3.5)

[Info](#)

The following roads will be closed on June 24, 2012 from 12:30 p.m. to 3:30 p.m. to facilitate the event:

- 1 Unionville Main Street north from Station Lane to south of Carlton Rd
2. No access from Main Street Unionville west onto Fred Varley Drive
3. No access from Main Street Unionville east onto Victoria Avenue and Concession Rd (Bypass)

CARRIED

Received

45-2012 INFORMATION MEMORANDUM REGARDING KING SQUARE LIMITED HOLD REMOVAL (10.0)

[Memo](#)

Memorandum dated June 12, 2012 from the Commissioner of Development Services providing background information regarding the proposed Hold Removal By-law.

(By-law 2012-138)

CARRIED

Referred to all Members of Council

46-2012 SPECIAL OCCASION LIQUOR PERMIT FOR GREEK ORTHODOX COMMUNITY OF MARKHAM (3.21)

[Letter](#)

Forwarding a request for the Town of Markham to designate their Annual Greek Festival being held from July 20 to 22 and 27 to 29, 2012 at 11359 Warden Avenue as a "Community Festival". The designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) for the application of Special Occasion Liquor Permit. (Ward 6)

CARRIED

47-2012 ROAD CLOSURE REQUEST FOR WORLD MUSIC AND DANCE EVENT (3.5)

[Info](#)

The following roads will be closed on July 22, 2012 between 7:00 a.m. and 6:00 p.m. to facilitate the event:

- Main Street Markham north from Hwy 7 to Parkway/Bullock
- Access east from Main Street Markham to:
 - Centre Street
 - Robinson Street East
- Access west from Main Street Markham to:
 - Dublin
 - Robinson Street West
 - Wilson Street
- Robinson Street West from Main Street Markham North to Water Street.

CARRIED

48-2012 ROAD CLOSURE REQUEST FOR MARKHAM GIRO – BICYCLE RACE
(3.5)

[Info](#)

The following roads will be closed on August 19, 2012 from 8:30 a.m. to 1:30 p.m. to facilitate the event:

- Cochrane Drive from Highway 7
- East Valhalla Drive from Cochrane Drive to Highway 7.

CARRIED

49-2012 ROAD CLOSURE REQUEST FOR THORNHILL VILLAGE FESTIVAL
(3.5.3)

[Info](#)

The following roads will be closed on September 15, 2012 from 8:00 a.m. to 6:30 p.m. to facilitate the event:

Sidewalks and roadways on the following roads:

- Church Lane from John St beyond Colborne St.
- Colborne Street from Yonge St. to Church Lane
- Eliza St from Colborne St. to end of street
- Thornhill Summit Drive
- From Yonge Street to Answell Crt
- Yonge Street between John St & Royal Orchard Blvd

Parade Hours (10:30 a.m. – 12:30 p.m.)

- Dudley Ave between Clarke Ave & Elgin Ave (Parade Set up - 8:30 a.m.)
- Elgin Ave from Dudley Ave & Yonge St (During parade - 9:30 a.m. to noon)
- Yonge Street between Clarke Ave & John Street
(During parade 10:30 a.m. to 11:30 a.m.)
- John Street between Yonge St & Henderson Ave
- Clarke Ave between Yonge Street & Henderson
(During parade 10:30 a.m. to 11:30 a.m.)

CARRIED

50-2012 COMMUNICATION PROVIDING COMMENTS - MILNE DAM
CONSERVATION AREA AS PART OF ROUGE NATIONAL URBAN PARK
(5.7)

(Motion Item No. 2)

[Letter](#)

1. Bernard Szederkenyi.

CARRIED

10. PROCLAMATIONS**(1) PROCLAMATION APPROVED - FOR INFORMATION (3.4)**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

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

- International Day Against Drug Abuse and Illicit Trafficking (June 26, 2012).

CARRIED

11. NEW/OTHER BUSINESSES**(1) IMPROVEMENT FOR THE SOUTHEAST CORNER OF DENISON STREET AND WARDEN AVENUE (10.0)**

Council enquired about the timing for the improvement of the area around the southeast corner of Denison Street and Warden Avenue. The Chief Administrative Officer advised he will look into the matter and report back to Members of Council.

12. BY-LAWS

Council consented to add By-laws 2012-136 to 2012-140.

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

That By-laws 2012-134, 2012-136 to 2012-140 be given three readings and enacted.

Three Readings

BY-LAW 2012-134 UPPER UNIONVILLE INC., HOLD REMOVAL BY-LAW, EAST OF KENNEDY ROAD AND NORTH OF 16TH AVENUE
- A by-law to amend By-law 177-96, as amended, to permit the development of residential units, 19TM-10003, Part of Lot 16 and 17, Concession 6.

CARRIED

- BY-LAW 2012-136 A BY-LAW TO AMEND THE ANIMAL CONTROL BY-LAW 2005-254
- To prohibit the Keeping of African Dwarf Frogs in Markham.
(Item No. 5, Report No. 36)

CARRIED

- BY-LAW 2012-137 LICENSING, PERMIT AND SERVICE FEES BY-LAW
(Repeals Licensing Fee By-law 2002-284 and amends General Fee By-law 2002-276 by deleting the "Corporate Services-By-laws and Enforcement" Section)
(Item No. 7, Report No. 36)

CARRIED

- BY-LAW 2012-138 KING SQUARE LTD., HOLD REMOVAL BY-LAW, 9390 WOODBINE AVENUE
- A by-law to amend By-law 165-80, as amended, to permit Phase 1 development in the area.
(Communication No. 45-2012)

CARRIED

- BY-LAW 2012-139 MCCOWAN RIDGE (ARH) HOMES LTD. PART LOT CONTROL EXEMPTION BY-LAW
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 5 to 15 and 22 to 27, Plan 65M-4302, southwest corner of Major Mackenzie Drive East and McCown Road.

CARRIED

- BY-LAW 2012-140 COUNTRY WIDE HOMES AT MARKHAM TWO INC. PART LOT CONTROL EXEMPTION BY-LAW
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 1 to 4, 16 to 21 and 28 to 36, Plan 65M-4302, southwest corner of Major Mackenzie Drive East and McCowan 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
- MAY 29, 2012

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the minutes of the in-camera Council meeting held on May 29, 2012, be confirmed.

CARRIED

(2) LITIGATION MATTER (WARD 5)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the confidential report dated May 18, 2012 from the Town Solicitor regarding a litigation matter in Ward 5 be received; and,
- 2) That staff be authorized to proceed as directed by Council on June 12, 2012.

CARRIED

(3) LITIGATION MATTER (WARD 5)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the confidential report dated May 18, 2012 from the Town Solicitor regarding a litigation matter in Ward 5 be received; and,
- 2) That staff be authorized and directed to take the action set out in this report.

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

That By-law 2012-135 be given three readings and enacted.

Three Readings

BY-LAW 2012-135 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF JUNE 12, 2012.

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That the Council meeting be adjourned at 11:55 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)