



COUNCIL MINUTES

May 1, 2012, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 9

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
Catherine Conrad, Town Solicitor
Kimberley Kitteringham, Town Clerk
Kitty Bavington, Council/Committee Coordinator
Mary Creighton, Director of Recreation
Joel Lustig, Treasurer
Dennis Flaherty, Director, Communications & Community Relations
John Wong, Technology Support Specialist

The meeting of Council convened at 7:15 p.m. on May 1, 2012 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – APRIL 17, 2012**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

- 1) That the Minutes of the Council Meeting held on April 17, 2012, be adopted.

CARRIED

3. PRESENTATIONS

**(1) RECOGNITION OF MICHELLE LI
2011 PAN AMERICAN GAMES DOUBLE GOLD MEDAL WINNER
– WOMEN'S SINGLES AND DOUBLES IN BADMINTON (12.2.6)**

Council recognized the Double Gold Medal Winner Michelle Li at the 2011 Pan American Games in the following categories:

- Gold Medal (Women's Singles in Badminton)
- Gold Medal (Women's Doubles in Badminton)

Council also extended their best wishes to Michelle Li for her participation in the upcoming 2012 Summer Olympics being held in London, England.

Moved by Regional Councillor Jim Jones

Seconded by Councillor Alan Ho

- 1) That Council extend congratulations to Michelle Li for winning two Gold Medals at the 2011 Pan American Games, the Women's Singles and Doubles in Badminton.

CARRIED

4. DELEGATIONS

There were no delegations.

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 26 - GENERAL COMMITTEE (April 23, 2012)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That Report No. 26 – General Committee comprised of 3 items be received and adopted.

(1) PROPOSED REDUCTION IN PROPERTY TAX INSTALLMENTS (7.3)

[Report](#)

- 1) That the report entitled “Proposed Reduction in Property Tax Installments” be received for information; and,
- 2) That Council approve changing the number of the interim and final tax installments from six to four, effective for the 2013 taxation year; and further,
- 3) That staff be authorized and directed to do all the things necessary to give effect to this resolution.

CARRIED

(2) CONSOLIDATED MOBILE BUSINESS LICENSING BY-LAW (2.22)

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

- 1) That the report entitled “Consolidated Mobile Business Licensing By-law” be received; and,
- 2) That the Consolidated Mobile Business Licensing By-law be enacted to provide for the licensing and regulation of owners, operators, drivers and brokers of mobile businesses in Markham; and,

- 3) That the six separate by-laws currently governing mobile businesses in Markham (By-laws 2002-294, 2002-301, 2002-303, 2002-305, 2002-308, 2002-310), be repealed, and replaced as schedules in the proposed Consolidated Mobile Business Licensing By-law; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2012-92)

CARRIED

(3) SOUTH EAST COMMUNITY CENTRE AND
LIBRARY, AND PARK – PRE DESIGN COMMUNITY
CONSULTATION (3.0)

[Report](#)

- 1) That the report entitled “South East Community Centre and Library, and Park Pre- design Community Consultation” be received; and,
- 2) That the recommended Functional Program for the South East Community Centre and Library be approved; and,
- 3) That the approved Functional Program be forwarded to the Design Consultant for inclusion in design development; and,
- 4) That the Park adjacent to the facility be designed as a component of the project; and,
- 5) That South East Community Centre and Library Committee of Council be established and that Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell and Councillor Logan Kanapathi be appointed; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(b) REPORT NO. 27 - DEVELOPMENT SERVICES COMMITTEE (April 24, 2012)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 27 Development Services Committee comprised of 2 items be received and adopted.

(1) TEMPORARY ROAD CLOSURE OF ALDEN ROAD (5.10)

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

- 1) That the report titled 'Temporary Road Closure of Alden Road' be received; and,
- 2) That closure of Alden Road from the intersection with Esna Park to approximately 150 metres east of the intersection be approved from Friday May 4, 2012 at 8:00 PM to Sunday May 6, 2012 at 8:00 PM for the intersection reconfiguration works related to the Rodick Road extension; and,
- 3) That an exemption to the Town's Noise Control By-Law 2003-137 be made to extend the hours of work from 7:00 pm to 6:30am during the road closure; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) HARRY COOK DEVELOPMENTS INC.
PROPOSED DRAFT PLAN OF SUBDIVISION
AND IMPLEMENTING SECONDARY PLAN
AND ZONING BY-LAW AMENDMENTS TO
FACILITATE SINGLE-DETACHED AND
TOWNHOUSE DWELLINGS, EAST OF
HARRY COOK DRIVE, BETWEEN HELEN AVENUE
AND CASTAN AVENUE, INCLUDING 304, 312 & 322 HELEN AVENUE,
WITHIN SOUTH UNIONVILLE
(OP, SU & ZA 11 129105) (10.7, 10.4 & 10.5)
[Report](#) [Figures 1-4](#) [App A](#) [App B](#) [App C](#) [App D](#)

- 1) That the deputation and written submission by Tom Han, representing the South Unionville Residents Forum (SURF), with concerns regarding the proposal by Harry Cook Developments Inc., be received; and,

- 2) The report entitled “RECOMMENDATION REPORT, Harry Cook Developments Inc., Proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments to facilitate single-detached and townhouse dwellings, east of Harry Cook Drive, between Helen Avenue and Castan Avenue, including 304, 312 & 322 Helen Avenue, within South Unionville, File Nos. OP, SU & ZA 11 129105,” be received; and,
- 3) That the record of Public Meeting held on February 21, 2012, regarding the proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments be received; and,
- 4) That the Director of Planning and Urban Design, or his designate, be delegated authority to issue draft plan approval, subject to the conditions set out in Appendix ‘A’, as may be amended by the Director of Planning and Urban Design or his designate; and,
- 5) That the application submitted by Harry Cook Developments Inc. to amend the South Unionville Secondary Plan, as amended, be approved and the draft Secondary Plan Amendment attached as Appendix ‘B’ be finalized and enacted without further notice; and,
- 6) That the application submitted by Harry Cook Developments Inc. to amend Zoning By-laws 304-87 and 177-96, as amended, be approved and the draft by-laws attached as Appendices ‘C’ & ‘D’ be finalized and enacted without further notice; and,
- 7) That the Owner provide the Town with the required payment of 30% processing fees in accordance with the Town’s applicable Fee By-law; and,
- 8) That Council authorize servicing allocation for 10 single detached units (37 population) and 39.5 townhouse units (111.4 population), and that the Owner provide a clearance letter from the Trustee of the South Unionville Landowners Group, confirming that there is adequate servicing allocation for 10 single detached units (37 population) and 39.5 townhouse units (111.4 population) within the servicing allocation assigned to South Unionville; and,
- 9) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 10) That the Region of York be advised of the servicing allocation for this development; and,

- 11) That the draft plan approval for plan of subdivision 19TM-11003 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,
- 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Councillor Logan Kanapathi
Seconded by Councillor Colin Campbell

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

Referred to all Members of Council

29-2012 LIQUOR LICENCE APPLICATION FOR 2233795 ONTARIO INC. (CONGEE QUEEN), 5308 HIGHWAY 7 EAST, UNIT 7 (3.21)
- Forwarding a request for the Town of Markham to complete the Municipal Information Form (Ward 4) (Liquor licence is for the expansion of existing indoor and outdoor areas)
[Info](#)

CARRIED

- 30-2012 LIQUOR LICENCE APPLICATION FOR YANG'S IZAKAYA AND JAPANESE CUISINE, 8432 LESLIE STREET (3.21)
- Forwarding a request for the Town of Markham to complete the Municipal Information Form (Ward 2) (Change of ownership for premises previously licenced).

[Info](#)

CARRIED

- 31-2012 ROAD CLOSURE REQUEST – SEDAN CHAIR (3.5)
- The following streets will be closed on May 20, 2012 between 11:00 a.m. and 6:00 p.m. to facilitate the event:
1. North of Town Centre Blvd & Cox Blvd
 2. Wallis Way & Town Centre Blvd
 3. Apple Creek Blvd & west of Warden Ave
 4. Apple Creek Blvd & Town Centre Blvd
 5. Apple Creek Blvd & east of Whitehall Dr.

[Info](#)

CARRIED

- 32-2012 ROAD CLOSURE REQUEST – MARKHAM JAZZ FESTIVAL (3.5)
- The following street will be closed on August 17 and 18, 2012 between 5:00 p.m. and 10:30 p.m. to facilitate the festival:
1. Main Street Unionville north from Concession Road to south of Carlton Road
 2. Main Street Unionville east onto Carlton road
 3. Main Street Unionville west onto Fred Varley Drive and Carlton Road.

[Info](#)

CARRIED

10. PROCLAMATIONS

(1) PROCLAMATIONS AND FLAG RAISING - FOR INFORMATION (3.4)

[Info](#)

Moved by Councillor Valerie Burke

Seconded by Regional Councillor Joe Li

- 1) That the following proclamations issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
 - Be Kind to Animals Week (May 6 to 12, 2012)
 - Children's Mental Health Week (May 6 to 12, 2012)
 - Pride Week (June 16 to 24, 2012); and,
- 2) That the following request for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the Town Clerk in accordance with the Town of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
 - Rainbow Flag for Pride Week (June 16 to 24, 2012).

CARRIED

11. NEW/OTHER BUSINESSES

- (1) AMBER PLAIN INVESTMENTS LTD.
EAST SIDE OF MCCOWAN ROAD, NORTH OF JAMES PARROT AVENUE
WISMER COMMUNITY
FILE NUMBER: ZA.12-109615 (10.5)
[Memo](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That conditional 2013 servicing allocation for 98 single detached units (362.6 population) and 40 semi-detached (120.8 population) be granted to plan of subdivision 19TM-02003 (Amber Plain Investments Ltd.) from the total allocation for the Wismer Commons Secondary Plan, assigned in accordance with the January 18, 2011 staff report on servicing allocation.
(By-law 2012-96)

CARRIED

- (2) DIGRAM DEVELOPMENTS INC.
SOUTH OF MAJOR MACKENZIE DRIVE, WEST OF 9TH LINE
GREENSBOROUGH COMMUNITY
FILE NUMBER: ZA.12-112246 (10.5)
[Memo](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Colin Campbell

- 1) That conditional 2013 servicing allocation for 30 semi-detached units (90.6 population), 132 townhouse units (372.24 population) and 3 condominium blocks comprising 149 units (420.18 population) be granted to plan of subdivision 19TM-09004 (Digram Developments Inc. from the total allocation for the Greensborough Secondary Plan, assigned in accordance with the January 18, 2011 staff report on servicing allocation.
(By-law 2012-97)

CARRIED

- (3) 16TH MCCOWAN LTD.
EAST SIDE OF MCCOWAN ROAD, NORTH OF 16TH AVENUE
WISMER COMMUNITY
FILE NUMBER: ZA.12-109624 (10.5)
[Memo](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Howard Shore

- 1) That conditional 2013 servicing allocation for 17 single detached units (62.9 population) and 86 semi-detached units (259.7 population) be granted to plan of subdivision 19TM-98006 (16th McCowan Ltd.) from the total allocation for the Wismer Commons Secondary Plan, assigned in accordance with the January 18, 2011 staff report on servicing allocation.
(By-law 2012-98)

CARRIED

12. BY-LAWS

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

That By-laws 2012-92 to 2012-98 be given three readings and enacted.

Three Readings

BY-LAW 2012-92 MOBILE BUSINESS LICENSING BY-LAW
- A by-law to provide for the licensing and regulation of owners, operators, drivers and brokers of mobile businesses (Repeals By-laws 2002-294, 2002-301, 2002-303, 2002-305, 2002-308, 2002-310).
[By-law](#)

CARRIED

BY-LAW 2012-93 MONARCH CORPORATION, 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 92, 93, 95 and 96 on Registered Plan 65M-4252, north of Major Mackenzie Drive and west of Woodbine Avenue.
[By-law](#)

CARRIED

BY-LAW 2012-94 ROAD DEDICATION BY-LAW
- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Block 19, Plan 65M-3637 Cornell Park Avenue and Block 21, Plan 65M-3637 - The Meadows Avenue).
[By-law](#)

CARRIED

BY-LAW 2012-95 ROAD DEDICATION BY-LAW
- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Part of Lot 2, Plan 2196, designated as Part 7, Plan 65R-31952 - South Unionville Avenue)
[By-law](#)

CARRIED

BY-LAW 2012-96 AMBER PLAIN INVESTMENTS LTD., HOLD REMOVAL BY-LAW, 9483 MCCOWAN ROAD, PHASE 3A, WISMER COMMONS COMMUNITY

- A by-law to amend By-law 177-96, as amended, to permit residential development. (Other Business Item No. 1)

[By-law](#)

CARRIED

BY-LAW 2012-97 DIGRAM DEVELOPMENTS INC., HOLD REMOVAL BY-LAW, SOUTH OF MAJOR MACKENZIE DRIVE AND WEST OF 9TH LINE, GREENSBOROUGH COMMUNITY, 19TM-09004

- A by-law to amend By-law 177-96, as amended, to permit residential development. (Other Business Item No. 2)

[By-law](#)

CARRIED

BY-LAW 2012-98 16TH MCCOWAN HOLDINGS LTD., HOLD REMOVAL BY-LAW, 5302 16TH AVENUE, PHASE 3, WISMER COMMONS COMMUNITY

- A by-law to amend By-law 177-96, as amended, to residential development. (Other Business Item No. 3)

[By-law](#)

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) BOARD AND COMMITTEE APPOINTMENTS (16.24)

Moved by Councillor Alan Ho

Seconded by Councillor Carolina Moretti

- 1) That Rocky Chen & Lauren Matunin be appointed to the Canada Day Committee for a term ending December 31, 2012.

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

That By-law 2012-99 be given three readings and enacted.

Three Readings

BY-LAW 2012-99 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF MAY 1, 2012.

[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That the Council meeting be adjourned at 7:43 p.m.

CARRIED

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)