



COUNCIL MINUTES

February 28 and 29, 2012

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 4

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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, Town Solicitor
Brenda Librecz, Commissioner of Community and Fire Services
Kimberley Kitteringham, Town Clerk
Kitty Bavington, Council/Committee Coordinator
Joel Lustig, Treasurer
Dennis Flaherty, Director, Communications & Community Relations
John Wong, Technology Support Specialist
Stacia Muradali, Senior Planner
Biju Karumanchery, Manager of Planning

The Regular Meeting of Council convened at 7:11 p.m. on February 28, 2012 in the Council Chamber. Mayor Frank Scarpitti presided.

At 11:50 p.m. on February 28, 2012, 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 February 29, 2012. The motion moved by Councillor Alex Chiu and seconded by Councillor Colin Campbell was carried by two-thirds vote of the Members present.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES – FEBRUARY 14, 2012
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the Minutes of the Council Meeting held on February 14, 2012, be adopted.

CARRIED

3. PRESENTATIONS

- (1) INTERNATIONAL INDIA FILM ACADEMY (IIFA)
RECOGNITION OF STAFF FROM CIBC (12.2.6)

Council recognized IIFA Markham Steering Committee Co-Chair Neil Fernandez along with key staff from CIBC for their contribution to the unequivocal success of the GTA IIFA Awards and the IIFA Markham Buzz Events, including:

- Neil Fernandez, Branch Manager, CIBC, 510 Copper Creek Drive Markham
and IIFA Markham Steering Committee Co-Chair
- Zina Atkinson, Business Development Manager
- Darrell Dietz, Director Sponsorship Marketing
- Monique Giroux, Vice President National Sponsorship
- Raza Hasan, Senior Vice President Risk Management
- Medha Joshi, Business Development Manager
- Brian Kevens, Associate Vice President
- Dave Schwertfeger, Associate Vice President
- Jeannie Stamkos, District Manager
- Kathleen Woodard, Market Vice President
- Fahra Zafar, Assistant Manager Marketing

(2) 2011 HERITAGE COMMUNITY RECOGNITION AWARDS
RECIPIENTS: PETER ROSS AND TUPPER WHEATLEY (12.2.6)

The Ontario Heritage Trust's Heritage Community Recognition Awards Program celebrates volunteer achievement in identifying, preserving, protecting and promoting local heritage. It recognizes that community volunteers play a vital role in conserving Ontario's heritage. Individuals are nominated by Municipal Councils.

Council recognized the recipients of the 2011 Heritage Community Recognition Awards including:

- Peter Ross, Cultural Heritage Category
- Tupper Wheatley, Natural Heritage Category

Donald Pearson, Member of the Board of Directors for the Ontario Heritage Trust, participated in the presentation of the awards and brought greetings on behalf of the Trust.

(3) EXCELLENCE CANADA
- ONTARIO ACCESSIBILITY AWARD PROGRAM (12.2.6)

The Excellence Canada - Ontario Accessibility Award recognizes the Town of Markham for demonstrating how it has met its obligations under the Accessibility for Ontarians with Disabilities Act, 2005, and then gone above and beyond basic compliance to demonstrate leadership in organizational accessibility. Through its role-model behaviour, the Town of Markham has reached out into the communities in which it serves to reinforce the principles of independence, dignity, integration, and equality of opportunity for people with disabilities.

Representatives from Excellence Canada were in attendance to present the Excellence Canada - Ontario Accessibility Award to Council. Representatives include:

- Russ Gahan
- David Segal
- Sara White

(4) TED SCAYSBROOK MEMORIAL AWARD
RECIPIENT: ABDULLAH NENSEY (12.2.6)

Council presented the Friends of the Markham Museum Board Ted Scaysbrook Memorial Award to Abdullah Nensey for his outstanding volunteer service to the Markham Museum.

John Buie, Chair, Friends of the Markham Museum Board and Cathy Molloy, Manager, Markham Museum, were in attendance with respect to this award presentation.

4. DELEGATIONS

Council consented to add Delegation Nos. 1 to 3.

- (1) DELEGATIONS REGARDING
BRUTTO CONSULTING, APPLICATIONS TO AMEND THE
ROUGE NORTH SECONDARY PLAN AND ZONING BY-LAWS
TO FACILITATE SEVERANCES AT
39 CAROLWOOD CRESCENT, 65 AND 69 CHATELAINE DRIVE
(10.4 AND 10.5) (See Item No. 4, Report No. 9)

The following addressed Council regarding the proposed recommendation titled
“Recommendation Report, Brutto Consulting, applications to amend the Rouge North
Secondary Plan and Zoning By-laws to facilitate severances at 39 Carolwood Crescent,
65 and 69 Chatelaine Drive (File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075)”:

- 1) Mohammed Rahman, President of Rouge River Residents' Association – Request to speak withdrawn.
- 2) Bob White, President of Rouge River Estate Association – Spoke in opposition to the proposed recommendation.
- 3) Stephen Emmanuel – Spoke in opposition to the proposed recommendation.
- 4) James Jagtoo – Spoke in opposition to the proposed recommendation.
- 5) Gail Brown – Spoke in opposition to the proposed recommendation.
- 6) Betty Easey – Spoke in opposition to the proposed recommendation.
- 7) Nabeel Khan– Spoke in opposition to the proposed recommendation.
- 8) Sylvia Consoli – Spoke in opposition to the proposed recommendation.
- 9) Sameen Mohamed – Spoke in opposition to the proposed recommendation.
- 10) Labib Ibrahim – Spoke in opposition to the proposed recommendation.
- 11) Ernesto Imbrogno, on behalf of Anna Maria Imbrogno – Spoke in opposition to the proposed recommendation.
- 12) Mehran Kaimashah – Spoke in opposition to the proposed recommendation.
- 13) Lilawattie Jagtoo – Request to speak withdrawn.

- 14) Maria-Christina Pavlakis-Micieli, speaking on behalf of her parents' severance application – Spoke in support of the proposed recommendation.
- 15) Jim Persaud – Spoke in opposition to the proposed recommendation.
- 16) Karen Wilson – Spoke in opposition to the proposed recommendation.
- 17) Roya Kaimashah – Spoke in opposition to the proposed recommendation.
- 18) Emmanuel Pavlakis – Spoke in support of the proposed recommendation.
- 19) Claudio Brutto, Brutto Consulting, on behalf of the applicant – Spoke in support of the proposed recommendation.
- 20) Michael Bigioni, on behalf of the applicant – Spoke in support of the proposed recommendation.

Moved by Councillor Logan Kanapathi
Seconded by Councillor Carolina Moretti

That Council consider the matter titled "Recommendation Report, Brutto Consulting, applications to amend the Rouge North Secondary Plan and Zoning By-laws to facilitate severances at 39 Carolwood Crescent, 65 and 69 Chatelaine Drive (File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075)" immediately following the delegations with respect there to.

(See Item No. 4, Report No. 9 for Council decision on this matter)

CARRIED

(2) **DELEGATIONS REGARDING
IMPLEMENTATION OF TRUCK SIDE GUARDS AND
OTHER SAFETY MEASURES TO IMPROVE SAFETY
FOR CYCLISTS IN THE TOWN OF MARKHAM (5.10)**

The following addressed Council regarding the proposed motion on the implementation of truck side guards and other safety measures to improve safety for cyclists in the Town of Markham:

- 1) David Rawcliffe – Spoke in support of the proposed motion.
 - 2) Gord Walter – Did not address Council but was in support of the proposed motion.
 - 3) Elisabeth Tam – Spoke in support of the proposed motion.
- (See Motion Item No. 1 for Council's decision on this matter)

- (3) DELEGATIONS AND MARKHAM PRESENTATION REGARDING
PROPOSED PLACE OF WORSHIP AT 6232 16TH AVENUE (10.6)
[Mkm Presentation](#)

DELEGATIONS:

The following addressed Council regarding the proposed Place of Worship at 6232 16th Avenue:

- 1) Mr. Phil Richardson, Markham Residents for Responsible Community Planning - Spoke in opposition to the proposed development.
- 2) Alex Hardy, Markham Residents for Responsible Community Planning - Spoke in opposition to the proposed development and enquired various issues with respect thereto.

(See following motion to hear the delegations)

Moved by Councillor Colin Campbell

Seconded by Councillor Carolina Moretti

That Council hear the delegation from two representatives of Ratepayer Association regarding the proposed Place of Worship at 6232 16th Avenue.

CARRIED

(2/3 Vote was requested & obtained)

(See following presentation)

MARKHAM PRESENTATION:

Moved by Councillor Carolina Moretti

Seconded by Councillor Don Hamilton

That the PowerPoint presentation provided by Jim Baird, Commissioner of Development Services, titled "Markham Residents for Responsible Community Planning, Mosque Design – Markham Response" be received.

CARRIED

5. PETITIONS

There were no petitions considered by Council.

**6(a) REPORT NO. 9 - DEVELOPMENT SERVICES COMMITTEE
(February 21, 2012)**

Council consented to separate Item No. 4. (See following Item No. 4)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 9 – Development Services Committee comprised of 4 items be received and adopted.

- (1) ACCEPTANCE FOR MAINTENANCE OF PLANS OF SUBDIVISION
REGISTERED PLAN NUMBERS 65M-3988, 65M-4093, 65M-3767,
65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184,
65R-19049 PARTS 2, 4 AND 5, 65M-4063, 65M-4001 AND 65M-4002 (10.7)
[Report](#)

- 1) That the report entitled “Acceptance for Maintenance of Plans of Subdivision” Registered Plan Numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002 be received; and,
- 2) That the municipal services in Subdivision Registered Plan numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002 be Accepted for Maintenance; and,
- 3) That by-laws be enacted by Council to accept these subdivisions and to establish each of the roads within the residential subdivisions as a public highway of the Town of Markham; and,
- 4) That the Community Services Commission accepts the responsibility for operating and maintaining the infrastructure within the subdivisions as part of the Town’s system; and,
- 5) That the Acceptance for Maintenance Period commence November 1, 2011; and,
- 6) That acceptance of the subdivisions to be taken into consideration in future operation budgets; and,
- 7) That the by-law to amend schedule ‘12’ of Traffic By-law #106-71, by including compulsory stops to the indicated streets, be approved; and,

- 8) That the by-law to amend Schedule 'A' of the Speed By-law #105-71, by including a maximum speed of 40 kilometers per hour for the streets indicated, be approved; and,
 - 9) That the by-law to amend schedule 'F' of the speed by-law #105-71, by including a maximum speed of 50 kilometers per hour for the streets indicated, be approved; and,
 - 10) That the by-law to amend Schedule 'C' of the Parking of Vehicles By-law #2005-188, by including prohibited parking on the streets indicated, be approved; and,
 - 11) That the Mayor and Clerk be authorized to execute the necessary releases from the terms of the Subdivision Agreements, subject to confirmation from the Director of Engineering that the final two year guarantee periods have been completed; and further,
 - 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-laws 2012-29 to 2012-42)

CARRIED

- (2) GROUND SIGN VARIANCE
BANK OF CHINA
50 MINTHORN BOULEVARD
APPLICATION FOR A 2ND GROUND SIGN
ALONG HIGHWAY NO. 7 STREET FRONTAGE
SP 11 129600 001 (2.16)
[Report](#)

- 1) That the report dated January 24, 2012, titled "GROUND SIGN VARIANCE, Bank of China, 50 Minthorn Boulevard, application for a 2nd ground sign along Highway No. 7 street frontage" be received; and,
- 2) That the application for the proposed ground sign variance (SP 11 129600 001) be approved.

CARRIED

- (3) RECOMMENDATION REPORT
MACKENZIE BUILDING AND DEVELOPERS LTD.
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION APPROVAL AND
ZONING BY-LAW AMENDMENT
5443, 5521, AND 5565 MAJOR MACKENZIE DRIVE EAST
FILE NOS.: SU.02-116539 AND ZA.11-113623
AND
2162246 ONTARIO LTD. (BEST HOMES CANADA INC.)
9582 HIGHWAY 48, TRANSFER OF SERVICING ALLOCATION
FROM 2162246 ONTARIO LTD. (BEST HOMES CANADA INC.)
TO MACKENZIE BUILDING AND DEVELOPERS LTD. (10.7 and 10.5)
[Report](#)

- 1) That the report dated October 25, 2011, entitled “Recommendation Report, Mackenzie Building and Developers Ltd., Applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment, 5443, 5521 and 5565 Major Mackenzie Drive East, File Nos.: SU.02-116539 and ZA.11-113623”, be received; and,
- 2) That the record of the Public Meeting held on October 25, 2011, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received; and,
- 3) That the Mayor and Clerk be authorized to enter into a No Presale Agreement with the Owner of 9582 Markham Road 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 Town 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 thirty (30) months prior to the expected completion of the Southeast Collector Trunk Sewer and,
 - ii. The Council of the Town 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 Town of Markham allocates the capacity to this development;

AND

Not enter into any agreements of purchase and sale with non end users (i.e. builders or parties other than residential unit purchasers) 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 Town 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 the Director of Planning and Urban Design, shall 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, upon 2162246 Ontario Limited (Best Homes Canada Inc.) executing a no pre-sales agreement with the Town in respect of its lands described as 9582 Highway 48; and,
- 5) That the application submitted by Mackenzie Building and Developers Ltd. to amend Zoning By-laws 304-87 and 177-96, as amended, be approved and the draft by-laws attached as Appendix 'B' be finalized and enacted without further notice; and,
- 6) 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,
- 7) That conditional 2013 servicing allocation for 26 single detached units (96.2 population) be granted to plan of subdivision 19TM-02012 from the total allocation for the Wismer Commons Secondary Plan, assigned in accordance with the January 18, 2011 staff report on servicing allocation; and,
- 8) That 86.6 units of allocation (18 semi detached units, 62 townhouse units and 6.5 single detached part lots/population 253.25) be transferred to Mackenzie Building and Developers Ltd. (19TM-02012) from 2162246 Ontario Ltd. (Best Homes Canada Inc., 9582 Markham Road); 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-10002 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) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (4) RECOMMENDATION REPORT
BRUTTO CONSULTING
APPLICATIONS TO AMEND THE ROUGE NORTH SECONDARY PLAN
AND ZONING BY-LAWS TO FACILITATE SEVERANCES AT
39 CAROLWOOD CRESCENT AND 65 AND 69 CHATELAINE DRIVE
FILE NOS: OP 10 123245, ZA 10 123246 & ZA 10 130075 (10.4 AND 10.5)
[Report+Tables](#) [Figs](#) [AppA](#) [AppB](#) [AppC](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That correspondence dated September 4, 2011 from Jeffrey E. Streisfield, representing the owner of 61 Chatelaine Drive, in objection to the proposal, be received; and,
- 2) That the deputations by Sylvia Consoli; Mohammad Rahman, representing the Rouge River Resident's Association and also representing Jeff Norton; Ather Subzwari, representing the Markham South Resident's Association; Zaheer Baig; Maniza Rahman; James Jagtoo; Lilawattie Jagtoo; Amani Ibrahim; Scott Burns representing the owner of 61 Chatelaine; Jeffrey E. Streisfield, representing the owner of 61 Chatelaine Drive; Stephen Emmanuel; Sameem Mohammed; and Claudio Brutto and Michael Bigioni, representing the applicant, regarding applications by Brutto Consulting for 39 Carolwood Crescent and 65 and 69 Chatelaine Drive, be received; and,
- 3) That the report dated February 21, 2012 titled "RECOMMENDATION REPORT, Brutto Consulting, Applications to amend the Rouge North Secondary Plan and Zoning By-laws to facilitate severances at 39 Carolwood Crescent, 65 and 69 Chatelaine Drive (File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075)", be received; and,
- 4) That the record of the Public Meeting held on May 10, 2011 regarding the proposed Secondary Plan and Zoning By-laws amendments be received; and,

- 5) That the application submitted by Brutto Consulting to amend the Rouge North Secondary Plan (OP 10 123245) for 39 Carolwood Crescent, 65 and 69 Chatelaine Drive, be approved, and that the draft Secondary Plan amendment attached as Appendix 'C' be finalized and adopted without further notice; and,
- 6) That the application submitted by Brutto Consulting to amend Zoning By-law 304-87, as amended, (ZA 10 130075) for 39 Carolwood Crescent, be approved, and that the draft By-law attached as Appendix 'D' be finalized and enacted without further notice; and,
- 7) That the application submitted by Brutto Consulting to amend Zoning By-law 90-81, as amended, (ZA 10 123246) for 65 and 69 Chatelaine Drive, be approved, and that the draft By-law attached as Appendix 'E' be finalized and enacted without further notice; and,
- 8) That the Zoning By-law amendments contain a Holding (H) provision which shall be removed in conjunction with site plan approval; and,
- 9) That staff be directed to bring a report regarding requiring new development within the Carolwood Crescent and Chatelaine Drive area to be subject to Site Plan Control forward to Council for consideration and adoption; and further,
- 10) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED BY A RECORDED VOTE (7:5)

See following recorded vote

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (7)

NAYS: Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Logan Kanapathi. (5)

ABSENT: Regional Councillor Gord Landon.

**See following to bring the matter
forward for consideration**

Moved by Councillor Logan Kanapathi
Seconded by Councillor Carolina Moretti

That Council consider the matter titled "Recommendation Report, Brutto Consulting, applications to amend the Rouge North Secondary Plan and Zoning By-laws to facilitate severances at 39 Carolwood Crescent, 65 and 69 Chatelaine Drive (File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075)" immediately following the delegations with respect there to.

(See Delegations Item Nos. 1 to 20)

CARRIED

**6(b) REPORT NO. 10 - DEVELOPMENT SERVICES PUBLIC MEETING
(February 21, 2012)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 10 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) JADE-KENNEDY DEVELOPMENT CORPORATION
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO REZONE PORTIONS OF 102, 132 AND 138 HELEN AVENUE
TO CONSOLIDATE THE ZONING ACROSS THE
NORTHERN PORTIONS OF THE PROPERTIES
TO ADDRESS THE FUTURE DELIVERY OF A
PROPOSED LANEWAY AND TO FACILITATE A
FUTURE TOWNHOUSE DEVELOPMENT
(ZA 11 123127) (10.5)

[Report](#)

- 1) That the written submission by Glenn Baron, in objection to the proposal by Jade-Kennedy Development Corporation, be received; and,
- 2) That the Development Services Commission report dated January 17, 2012, titled "PRELIMINARY REPORT, Jade-Kennedy Development Corporation, Application for zoning by-law amendment to rezone portions of 102, 132 and 138 Helen Avenue to consolidate the zoning across the northern portions of the properties to address the future delivery of a proposed laneway and to facilitate a future townhouse development, FILE NO.: ZA 11 123127" be received; and,
- 3) That the Record of the Public Meeting held on February 21, 2012 with respect to the proposed draft Zoning By-law amendment be received; and,

- 4) That the application by Jade-Kennedy Development Corporation Inc. to amend Zoning By-law 177-96, as amended, be approved and the draft Zoning By-law amendment be finalized and enacted; and,
- 5) That the proposed amendment to Zoning By-law 177-96, as amended, be finalized and enacted without further notice; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(c) REPORT NO. 11 - GENERAL COMMITTEE (February 27, 2012)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That Report No. 11 – General Committee comprised of 3 items be received and adopted.

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

[Report](#)

- 1) THAT the report titled “Temporary road closure of Dudley Avenue between Steeles Avenue and Meadowview Avenue’ be received; and,
- 2) THAT the closure be effect in stages and local access be maintained, from 7:00 am Monday March 5, 2012 to 7:00 pm on Friday September 28, 2012, subject to conditions described in the report; and further,
- 3) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) TEMPORARY ROAD CLOSURE OF RODICK
ROAD SOUTH OF HIGHWAY 7 (5.10)

[Report](#)

- 1) THAT the report titled “Temporary road closure of Rodick Road, south of Highway 7” be received; and,
- 2) THAT the closure of Rodick Road, south of Highway 7 be approved from 7:00 pm to 6:30 am in April or May of 2012 for up to 4 consecutive weeks subject to VIVA and Bell schedule and subject to conditions listed in this report; 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 6:30 am 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

(3) SPRING AND YEAR ROUND LOAD RESTRICTIONS
FOR TOWN OF MARKHAM’S ROAD NETWORK (5.10)

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

- 1) THAT the report titled “Spring and year round load restrictions for the Town of Markham’s road network’ be received; and,
- 2) THAT the gross weight of commercial vehicles be restricted to 5 tonnes per axle on the public highways under the jurisdiction of the Town of Markham, from March 1 to April 30, each and every year, accept for those roads which are except, as listed in Appendix ‘A’; and
- 3) THAT should adverse spring thaw conditions be encountered due to a harsh winter, at the discretion of the Director of Operations or their delegate, the load restrictions be extended up to May 31 (up to four weeks) in any year; and,
- 4) THAT the gross vehicle weight of commercial vehicles be restricted to 5 tonnes per axle for the hard surfaced Town roads listed on Appendix ‘B’, from January 1 to December 31 each and every year; and.

- 5) THAT the Director of Operations or their delegate be authorized to up-date or revise the streets and limits listed in the By-law Appendices each year or whenever necessary; and,
- 6) THAT according to the *Highway Traffic Act Subsection 122(4)* the restrictions would exempt vehicles operated by or on behalf of the municipality and school busses; and.
- 7) THAT the Director of Operations or their delegate, be authorized to grant exemptions to the By-laws to permit heavy vehicular loads, at her/his discretion; and further,
- 8) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2012-53 and 2012-54)

CARRIED

7. MOTIONS

- (1) IMPLEMENTATION OF TRUCK SIDE GUARDS AND OTHER SAFETY MEASURES TO IMPROVE SAFETY FOR CYCLISTS IN THE TOWN OF MARKHAM (5.10)

Moved by Councillor Howard Shore

Seconded by Councillor Don Hamilton

Whereas the recent death of a cyclist in the City of Toronto demonstrates the tragic consequences of cyclist/truck collisions; and,

Whereas Federal MP Olivia Chow has introducing a private member's Bill #C-344, which has gone through First Reading and which calls for the Government of Canada to require side under-run guards for large trucks in order to prevent cyclists and pedestrians from being pulled under the wheels of these vehicles and to harmonize Canadian vehicle safety standards with European Union standards (which already require under-run guards); and,

Whereas it has been documented by the National Research Council of Canada (Side Guards for Trucks and Trailers, Phase 1: Background Investigation, March 2010) that the number of cyclist deaths dropped by 61 percent for accidents with cyclists and tucks moving in the same direction when the truck is equipped with side guards. It is also estimated that flush mounted side guards lead to an improved drag co-efficient and thus reduce fuel consumption; resulting in a payback of two years and an annual savings of 400 million litres of fuel across Canada if implemented in Canada and a reduction of CO₂ of 1.1 million tonnes annually; and,

Whereas the Town of Markham continues to express its commitment to provide a wide range of leisure and healthy lifestyle opportunities for the residents of Markham, including cycling for recreation and transportation purposes; and,

Whereas, Markham needs to review both its own actions and the actions by other levels of government in order to ensure that Markham residents are provided the maximum level of protection possible as they enjoy the simple act of riding their bicycle to work, school or home;

Therefore be it resolved:

- 1) That Council request the Director of Operations to report to General Committee on:
 - a. the feasibility of the Town of Markham implementing side guards on its own municipally owned large trucks, both new vehicles and retrofits.
 - b. the feasibility of a truck side guard policy whereby the Town conducts business with only or prefers business with companies whose large trucks are equipped with side guards; and,
- 2) That Council request the Director of Operations to report to General Committee on options for the introduction within the Town of Markham of safety measures that would increase pedestrian and cycling safety (e.g. truck side guards, convex mirror systems, additional turn signals, audible warning systems, right turn restrictions on heavily used cycling routes, additional cycling infrastructure); and,
- 3) That Council support and request that the Federation of Canadian Municipalities also support Bill C-344 calling for side under-run guards on large trucks; and,
- 4) That Council request the Director of Operations to report to General Committee on:
 - a. Position of Transport Canada regarding side guards on large trucks.
 - b. Response by other municipalities in the GTA to the 1998 Toronto Regional Coroner's recommendation.
 - c. Collision information involving cyclists within the Town of Markham since 2007.
 - d. Results of the Transportation Association of Canada (TAC) study on "Safe Accommodation of Vulnerable Road Users and Large Commercial Vehicles".

- e. Information on how other jurisdictions within the GTA, Canada and internationally have addressed the issue of large trucks and pedestrian and cyclist safety.

CARRIED

Note: The notice of this motion was given at the February 14, 2012 Council meeting.

8. NOTICES OF MOTIONS

(1) ILLEGAL SIGNS ON MUNICIPAL BOULEVARDS (2.16)

Moved by Councillor Howard Shore

Seconded by Councillor Logan Kanapathi

Whereas the proliferation of illegal signs littering municipal boulevards are a genuine public safety concerns causing sight distance problems, especially at intersections blocking the view of motorists and pedestrians; and,

Whereas illegal signs are an eyesore that end up on city streets, in gutters and distract drivers creating an issue of health and safety; and,

Whereas illegal signs create the same negative perception of in a community as graffiti or other forms of vandalism and, in fact, illegal signs adhered to municipal property such as Stop signs, traffic signal poles and hydro poles constitute vandalism; and,

Whereas illegal signage can impact property values for property owners, and drain taxpayer resources for their removal; and,

Whereas illegally placed signs are contrary to character the Town of Markham wishes to portray as a clean and sustainable community; and,

Whereas illegal signs are a blight on the landscape; and,

Whereas the Town of Markham wishes to encourage the effective use of signs as a means of communication; and,

Whereas the Town of Markham believes in enhancing the appearance of our municipal roads and boulevards; and,

Whereas the Town of Markham wishes to minimize clutter by limiting the size and number of signs; and,

Whereas the Town of Markham wishes to improve pedestrian and traffic safety; and,

Whereas the Town of Markham wishes to ensure the fair and consistent enforcement of sign regulations; and,

Whereas the Town of Markham wishes to address issues of sign maintenance, repair, replacement and removal;

Now therefore be it resolved:

- 1) That Council request the Town Clerk to report to General Committee on:
 - a. the feasibility of the Town of Markham limiting the number, size and location of commercial signage on Town boulevards;
 - b. prohibiting the placement of signs on any utility pole (including light standard, hydro-electric pole, traffic signal) or municipal stop sign or other directional sign
 - c. appropriate fees for the removal of signs placed in contravention of Town bylaws;
 - d. recommendations to the York Region's Court Prosecution Office with regard to set fines for contravention of Town sign bylaws;
 - e. the feasibility of the Town of Markham recovering the fees for removal of illegal signs through an addition to the non-residential property tax;
 - f. recovering fees or fines against parties non-resident in the Town of Markham; and,
- 2) Council reaffirm its commitment to the beautification of its streetscape and accordingly that, in principle, commercial signage on municipal boulevards is inconsistent with Markham's Greenprint and to be discouraged.

(2) MARKHAM EAST TORONTO RAIL
ORIENT-EXPRESS ALL DAY TRAIN SERVICE (5.14)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Colin Campbell

Whereas the Metrolinx Regional Transportation Plan 2009 ("The Big Move 2020") identifies full day, 2-way service on the Stouffville line from Mount Joy to Toronto's Union Station as part of the 15 year plan for Regional Rapid Transit; and,

Whereas GO Transit will be undertaking an Environmental Assessment (EA) study on the Stouffville line for future infrastructure improvements in Markham and Toronto to provide for the planned full day, 2-way service, to be operational between Markham Center and Toronto's Union Station by 2014; and,

Whereas Metrolinx in 2013 is reviewing and updating its Regional Big Move 2020 Transportation Plan. This Stouffville Go Line should be considered for electrification in its entirety; and,

Whereas during the environmental assessment process for the Stouffville rail corridor, opportunities exist for alternative technologies to be considered. These alternative technologies include MagLev which is currently used in major centers and is extremely quiet, affordable, efficient and fast; and,

Whereas smaller, more cost effective diesel-electric multiple unit (DEMU), trains that are used throughout Europe, in use today in Ottawa on their O-Train line, and is currently being implemented between Toronto Pearson Airport and Union Station; and,

Whereas consideration should be given to go directly to Electric Train Technology for the Stouffville GO Line; and,

Whereas the electric technology will enable more frequent, lower cost service, with a greater number of new stations stops along the route and improve travel time to our transit riders; and,

Whereas the electric technology trains could carry a similar or larger number of transit rides than subway service; and,

Whereas the Markham East Toronto Rail Orient-Express (METRO-E) concept would enable more frequent headways, and more frequent transit stops along this approved north-south rapid transit corridor between Stouffville and Union Station; and

Whereas this north-south corridor will also interconnect with a number of existing and planned east-west rapid transit corridors, including VIVA bus rapid transit, 407 Rail Transitway, Steeles BRT/LRT, Finch BRT/LRT, Sheppard Subway, Eglinton-Crosstown LRT, Bloor-Danforth Subway, and Lakeshore East GO; and,

Whereas the METRO-E would stimulate transit dependant development (TDD) and redevelopment along this transit corridor; and,

Whereas climate change, global warming, end of oil and gridlock are issues facing all major cities, it is important that all station communities are TDD designed systems to be net zero in energy, waste and emissions and produce the best public realm and quality of life for our citizens; and,

Whereas METRO-E would reduce automobile dependence, energy consumption and would promote environmental, social and economic sustainability initiatives; and,

Whereas Metrolinx has allocated their budget for transit projects for the next five years and revenues from development charges, TIFs, Section 37, HST, taxes, Gas Taxes increased user fees, improve operating performance are viable and can be leveraged within a Public Private Partnership (P3) model;

Now therefore be it resolved:

- 1) That a steering committee co-chaired by Markham Regional Councillor Jim Jones and member of Toronto Council selected by City of Toronto Council be created. The committee will determine its membership which will include members of Markham, Toronto Council and other municipalities and levels of Government.. This committee will focus on station and rail strategy, TDD, community planning, Government Relationships and Public Private Partnerships; and,
- 2) That the Steering Committee seek advice from the participating government bodies, agencies and other sources as determined by the committee with respect to terms of reference and funding requirements for comprehensive studies and reports that would be required to pursue the METRO-E concept; and,
- 3) That a working group reporting to the steering committee be formed of representatives from Metrolinx, the City of Toronto, the Region of York, and the Town of Markham to review the need and justification of the METRO-E concept, and the associated transportation, land use planning and economic development benefits; and,
- 4) That Metrolinx and other government agencies and stakeholders at the Federal, Provincial, Regional and Municipal level be requested to consider the merit and implications of the METRO-E concept and DEMU/Electric/Maglev technology on the Stouffville rail line in the context of the current review and update of the Metrolinx Regional Transportation Plan and Metrolinx Environment Assessment Study for the GO's Stouffville Line; and further,
- 5) That copies of this resolution be forwarded to the Premier of Ontario, the Federal Ministers of Finance, Transportation, Infrastructure and the Provincial Ministers of Finance, Transportation and Infrastructure Ontario, East Toronto and Markham area MPP's, the City of Toronto, the Mayor and Council members of the City Toronto, the Toronto Transit Commission, Metrolinx, York Region and York Rapid Transit Corporation.

(3) REQUEST TO THE PROVINCE TO AMEND THE REGION OF YORK 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 Fourty 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 amend the Region of York Act to require that the Chairman of the Region of York be an elected position to be elected by all eligible voters in York Region beginning in the 2014 Municipal Elections, 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

9. COMMUNICATIONS

Council consented to add Communication No. 12-2012.

Moved by Councillor Alex Chiu
Seconded by Councillor Alan Ho

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

Referred to all Members of Council

- 8-2012 NATIONAL WOMEN RUN SERIES - ROAD CLOSURE REQUEST (3.5)
- The following roads will be closed on May 12, 2012 from 7:00 a.m. to 11:30 a.m. to facilitate the event:
10K Route
- Starts & ends at Unionville Curling Club, Main Street Unionville
 - Main Street Unionville south of Carlton cross Hwy 7 to Enterprise Drive
 - Enterprise Drive from Main Street West to Birchmount Rd
 - South on Birchmount Rd turnaround just north of 14th Ave
 - Go back north on 14th to Enterprise, head east to Main Street Unionville

- Main Street Unionville north to Eckardt
- East on Eckardt Ave to end where path meets it
- Path to Walden Pond trail (run around) & back to Eckardt to Main Street north
- Finish at Unionville Curling Club

Contingency for 10K Route (in case of flooding on Walden Pond area)

- Starts & ends at Unionville Curling Club, Main Street Unionville
- Main Street Unionville south of Carlton, cross Hwy 7 to Enterprise Drive
- Enterprise Drive to south of Birchmount Rd (turn around on Birchmount just north of 14th)
- Head back north to Birchmount Rd, east on Enterprise Drive
- Enterprise Drive to Main Street Unionville, go north
- Main Street Unionville cross Hwy 7 to west on Fred Varley Drive
- Fred Varley Drive to Gainsville Ave, go east
- Gainsville Ave to pathways behind Parkway
- Path back towards Main Street Unionville, the north to Finish Line.

5K Route

- Starts & ends at Unionville Curling Club, Main Street Unionville
- Main Street Unionville south, cross Hwy 7 to Enterprise Drive
- West on Enterprise Drive from Main Street then turns at 2.5km back east on Enterprise Dr
- Enterprise Drive to Main Street Unionville going north to Finish line

[Info](#)

CARRIED

- 9-2012 LIQUOR LICENCE APPLICATION FOR I CUE, 7850 WOODBINE AVENUE, SECOND FLOOR (3.21)
- Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ward 8) (Ownership change for indoor areas)

[Info](#)

CARRIED

- 10-2012 LIQUOR LICENCE APPLICATION FOR I SHOT GOLF, 7501 WOODBINE AVENUE, UNIT 7 (3.21)
- Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ward 8) (Ownership change and expansion of existing areas for indoor and outdoor areas)

[Info](#)

CARRIED

Referred to Commissioner of Development Services & Town Solicitor

11-2012 ONTARIO MUNICIPAL BOARD ORDERS (December 21, 2011 and January 16, 2012) – STRINGBRIDGE INVESTMENTS LTD., SOUTHWEST QUADRANT OF HIGHWAY 7 AND SOUTH TOWN CENTRE BOULEVARD (13.13)

- Explanatory note from the Town Solicitor:

"This Ontario Municipal Board decision implements the settlement of an appeal by Stringbridge Investments Ltd. with respect to a zoning amendment requested to permit a mixed use development of four towers, between 13 and 16 stories, comprising commercial and retail uses at grade, a 190 room hotel and up to 500 residential condominium units, with structured parking. The development is located on the south side of Highway 7, at South Town Centre Boulevard. No parties appeared in opposition to the approval of the zoning amendment, although a number of residents attended the hearing and expressed some concerns with adequacy of notice and traffic impacts.

The zoning by-law amendment redefines "Hotel" and imposes two H (Holding) zones to ensure that no residential uses are permitted unless the hotel is at a certain, specified stage of construction confirmed by the Chief Building Official and unless the residential units are integrated into the hotel development. In addition, the by-law requires that purchasers of residential units must have notice of the provisions of the by-law that prohibit occupancy without hotel construction."

(By-law 2012-28)

[Info](#)

CARRIED

Referred to all Members of Council

12-2012 SADIA KHAN AND SALEEM KHAN (10.4 AND 10.5)

- Forwarding objection and providing comments with respect to the matter titled "Recommendation Report, Brutto Consulting, applications to amend the Rouge North Secondary Plan and Zoning By-laws to facilitate severances at 39 Carolwood Crescent, 65 and 69 Chatelaine Drive (File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075)".

(Item No. 4, Report No. 9) [Letter](#)

CARRIED

10. PROCLAMATIONS

(1) JEWISH HERITAGE MONTH PROCLAMATION (3.4)

The Town Clerk was directed to bring forward a recommendation to Council for approval regarding the proclamation of May as "Jewish Heritage Month" in the Town of Markham.

11. NEW/OTHER BUSINESSES

There were no new/other businesses considered by Council.

12. BY-LAWS

Three Readings

OMB approved By-law 2012-28

(For information only to facilitate the assignment of a by-law number):

BY-LAW 2012-28 STRINGBRIDGE INVESTMENTS LTD., SOUTHWEST QUADRANT OF HIGHWAY 7 AND SOUTH TOWN CENTRE BOULEVARD (ZONING BY-LAW AMENDMENT APPROVED BY ONTARIO MUNICIPAL BOARD)
- A by-law to amend By-law 2004-196, as amended, to permit a mixed use development.
(Communication No. 11-2012)
[By-law](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That By-laws 2012-29 to 2012-51 and By-laws 2012-53 to 2012-55 be given three readings and enacted.

BY-LAW 2012-29 A BY-LAW TO AMEND TRAFFIC BY-LAW 106-71 (TO ADD COMPULSORY STOPS, ACCEPTANCE FOR MAINTENANCE OF PLANS OF SUBDIVISION)
- Registered Plan Numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-30 A BY-LAW TO AMEND SPEED BY-LAW 105-71 (TO DEFINE A MAXIMUM SPEED OF 40 KM PER HOUR, ACCEPTANCE FOR MAINTENANCE OF PLANS OF SUBDIVISION)
- Registered Plan Numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-31 A BY-LAW TO AMEND SPEED BY-LAW 105-71 (TO DEFINE A MAXIMUM SPEED OF 50 KM PER HOUR, ACCEPTANCE FOR MAINTENANCE OF PLANS OF SUBDIVISION)
- Registered Plan Numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-32 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (TO PROHIBIT PARKING, ACCEPTANCE FOR MAINTENANCE OF PLANS OF SUBDIVISION)
- Registered Plan Numbers 65M-3988, 65M-4093, 65M-3767, 65M-3884, 65M-4033, 65M-3995, 65M-4055, 65M-3184, 65R-19049 Parts 2, 4 and 5, 65M-4063, 65M-4001 and 65M-4002.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-33 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3988 AS PUBLIC HIGHWAY, PART OF LOT 20, CONCESSION 7 (PINESHORE DEVELOPMENTS (WISMER) LIMITED)
- Hammersly Boulevard; Kindy Street; Collier Crescent.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-34 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4093 AS PUBLIC HIGHWAY, PART OF LOTS 12 AND 14 AND PART OF THE EAST HALF OF LOT 13, CONCESSION 9 (CORNELL ROUGE DEVELOPMENT CORP.)
- Cornell Rouge Boulevard; Arboretum Drive; Cumer Gate; Pyneside Street; Mew G Ate; Harlan Street; Riverlands Avenue; Lane X; Lane Y; Lane Z.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-35 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3995 AS PUBLIC HIGHWAY, PART OF LOT 24, CONCESSION 3 (CATHEDRAL TOWN LTD. AND 404 DEVELOPMENTS INC.)
- Betty Roman Boulevard; Charity Crescent; Reflection Road; Laneway 1; Laneway 2; Laneway 3; Laneway 4.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-36 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3767 AS PUBLIC HIGHWAY, PART OF LOTS 15 AND 16, CONCESSION 9 AND PART OF THE ROAD ALLOWANCE BETWEEN LOTS 15 AND 16, CONCESSION 9 (WYKLAND ESTATES INC.)
- Bittersweet Street; Black Creek Drive; Bur Oak Avenue; Clayson Street; Colchester Street; Cornwall Drive; Country Glen Road; Gowland Road; Horsetail Street; Lappe Avenue; Morning Dove Drive; Peony Street; Rocking Horse Street; Royal Feathers Street; Walkerville Road; White's Hill Avenue; Chippenham Lane; Gas Lamp Lane; Kawartha Lane; Nuthatch Lane; Winklers Lane; Lanes Bb, C1, C2, E, F1, F2, G, H, J, K, M; Lanes O, Q, R1, R2, R3, S1, W, X, Y1, Y2.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

BY-LAW 2012-37 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3184 AS PUBLIC HIGHWAY, PART OF LOT 16, CONCESSION 3 (WOODBINE CACHET SOUTH INC.)
- Cachet Woods Court.
(Item No. 1, Report No. 9)
[By-law](#)

CARRIED

- BY-LAW 2012-38 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4063 AS PUBLIC HIGHWAY, PART OF LOTS 16 AND 17, CONCESSION 9 (1473092 ONTARIO LIMITED)
- LANE A; LANE B.
(Item No. 1, Report No. 9)
[By-law](#)
CARRIED
- BY-LAW 2012-39 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4001 AS PUBLIC HIGHWAY, PART OF LOTS 19 AND 20, CONCESSION 7 (WISMER MARKHAM DEVELOPMENTS INC.)
- Fred McLaren Boulevard; Castlemore Avenue; Willow Street; Titus Street.
(Item No. 1, Report No. 9)
[By-law](#)
CARRIED
- BY-LAW 2012-40 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4002 AS PUBLIC HIGHWAY, PART OF LOT 19, CONCESSION 7 (WISMER MARKHAM DEVELOPMENTS INC.)
- Kentland Street
(Item No. 1, Report No. 9)
[By-law](#)
CARRIED
- BY-LAW 2012-41 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-4033 AS PUBLIC HIGHWAY, PART OF LOT 25, CONCESSION 3 (1696913 ONTARIO INC. AND CLERA HOLDINGS LIMITED)
- Tucciarone Court; Pisanelli Avenue; Sisina Avenue; Tufo Avenue; Prince Regent Street; Minturno Lane; Markland Street.
(Item No. 1, Report No. 9)
[By-law](#)
CARRIED

- BY-LAW 2012-42 A BY-LAW TO ESTABLISH STREETS LAID OUT ACCORDING TO PLAN OF SUBDIVISION 65M-3884 AS PUBLIC HIGHWAY, PART OF LOTS 15 AND 16, CONCESSION 9 AND PART OF THE ROAD ALLOWANCE BETWEEN LOTS 15 AND 16, CONCESSION 9 AND PART OF LOT 15, CONCESSION 9 (MATTAMY (COUNTRY GLEN) LIMITED AND WYKLAND ESTATES INC.)
- Clayson Street; Country Glen Road; Morning Dove Drive; Royal Feathers Street; Capogna Street; Calafia Street; Gas Lamp Lane; Winklers Lane; Lanes B, C, D, E, H, Q, Y2.
(Item No. 1, Report No. 9)
[By-law](#)
CARRIED
- BY-LAW 2012-43 A BY-LAW TO AMEND SITE ALTERATION BY-LAW 2011-232 (ADMINISTRATIVE AMENDMENTS).
[By-law](#)
CARRIED
- BY-LAW 2012-44 A BY-LAW TO AMEND PROPERTY STANDARDS BY-LAW 248-1999 (ADMINISTRATIVE AMENDMENTS).
[By-law](#)
CARRIED
- BY-LAW 2012-45 WISMER MARKHAM DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4226
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 106 to 109, 65M-4226, north of Prebble Drive and west of Hammersly Boulevard.
[By-law](#)
CARRIED
- BY-LAW 2012-46 WISMER MARKHAM DEVELOPMENTS INC., PART LOT CONTROL EXEMPTION BY-LAW, 65M-4281
- A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 44 to 47, 65M-4281, north of Prebble Drive and west of Hammersly Boulevard.
[By-law](#)
CARRIED

BY-LAW 2012-47 ROAD DEDICATION BY-LAW (65M-3794)

- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Block 122, Plan 65M-3794 and Part of Block 126, Plan 65M-3794, designated as Parts 2 and 3, Plan 65R-33092 - Castlemore Avenue)

[By-law](#)

CARRIED

BY-LAW 2012-48 ROAD DEDICATION BY-LAW (Plan 2196, Plan 65M-3397 and 65M-3756)

- A by-law to dedicate certain lands as part of the highways of the Town of Markham [Part of Lot 6, Plan 2196, designated as Parts 3, 9 and 14, Plan 65R-27219 (South Unionville Avenue); Part of the Unnamed Road Allowance, Plan 2196, designated as Part 21, Plan 65R-27219 (South Unionville Avenue); Part of Block 122, Plan 65M-3397, designated as Part 23, Plan 65R-27219 (South Unionville Avenue); Part of Lot 2, Plan 2196, designated as Parts 2 and 5, Plan 65R-31953 (South Unionville Avenue); Block 15, Plan 65M-3756, designated as Part 7, Plan 65R-31953 (South Unionville Avenue); Part of Lot 1, Plan 2196, designated as Part 5, Plan 65R-31954 (South Unionville Avenue); Part of Lot 1, Plan 2196, designated as Part 6, Plan 65R-31954 (Unity Gardens Drive); Part of Lot 1, Plan 2196, designated as Parts 2 and 3, Plan 65R-31952 (Unity Gardens Drive); Part of Lot 2, Plan 2196, designated as Part 6, Plan 65R-31952 (Unity Gardens Drive); Part of Lot 1, Plan 2196, designated as Part 3, Plan 65R-24818 (South Unionville Avenue); Part of Lot 1, Plan 2196, designated as Part 7, Plan 65R-30830 (South Unionville Drive); Part of Lot 2, Plan 2196, designated as Part 14, Plan 65R-30830 (Unity Gardens Drive); Part of Lot 2, Plan 2196, designated as Parts 2 and 3, Plan 65R-27668, save and except Parts 15 and 16, Plan 65R-31952 (Unity Gardens Drive); Part of Lot 2, Plan 2196, designated as Parts 5, 6, 11 and 12, Plan 65R-27668 (South Unionville Avenue)].

[By-law](#)

CARRIED

BY-LAW 2012-49 MONARCH WALMARK DEVELOPMENT LIMITED, HOLD REMOVAL BY-LAW, 19TM-06007, PART OF LOTS 23, CONCESSION 4

- A by-law to amend By-law 177-96, as amended, to permit the development of 88 single detached units.

[By-law](#)

CARRIED

- BY-LAW 2012-50 MATTAMY (ROBINSON CREEK) LIMITED, HOLD REMOVAL BY-LAW, PART OF LOT 16, CONCESSION 7, 19TM-03008, PHASE 5
- A by-law to amend By-law 177-97, as amended, to permit the construction of 16 detached dwelling units in accordance with the applicable development standards.

[By-law](#)

CARRIED

- BY-LAW 2012-51 COTTONLANE ESTATES INC., HOLD REMOVAL BY-LAW, 158, 168 AND 178 OLD KENNEDY ROAD
- A by-law to amend By-law 177-96, as amended, to permit the construction of a mixed-use building fronting onto Old Kennedy Road and 78 stacked townhouses.

[By-law](#)

CARRIED

- BY-LAW 2012-53 SPRING LOAD RESTRICTIONS BY-LAW
- A by-law to limit loads to 5 tonnes per axle on Town of Markham's rural roads from March 1 to April 30 each and every year and maybe extended up to May 31.

(Item No. 3, Report No. 11)

[By-law](#)

CARRIED

- BY-LAW 2012-54 YEAR-ROUND LOAD RESTRICTIONS BY-LAW
- A by-law to limit loads to 5 tonnes per axle on Town of Markham's rural roads from January 1 to December 31 each and every year.

(Item No. 3, Report No. 11)

[By-law](#)

CARRIED

- BY-LAW 2012-55 JADE-KENNEDY DEVELOPMENT CORPORATION, ZONING BY-LAW AMENDMENT, 102, 132 AND 138 HELEN AVENUE
- A by-law to amend by-law 177-96, as amended, to consolidate the zoning across the northern portions of the properties to address the future delivery of a proposed laneway and to facilitate a future townhouse development.

(Item No. 1, Report No. 10)

[By-law](#)

CARRIED

13. IN-CAMERA ITEMS

Council consented to add an item regarding litigation matter on the in-camera agenda for this date.

Moved by Councillor Howard Shore
Seconded by Deputy Mayor Jack Heath

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters: (12:16 a.m. on February 28, 2012)

REPORT OF DEVELOPMENT SERVICES COMMITTEE- February 21, 2012

- (1) CONFIDENTIAL PROPERTY MATTER IN WARDS 1 AND 5
[Section 239 (2) (c)]

REPORT OF GENERAL COMMITTEE – February 27, 2012

- (2) PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
[Section 239 (2) (b)]
- (3) PERSONAL MATTER ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
[Section 239 (2) (b)]
- (4) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (c)]
- (5) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (c)]

COUNCIL – February 28, 2012

- (6) LITIGATION MATTER
[Section 239 (2) (f)]

Moved by Councillor Carolina Moretti
Seconded by Councillor Valerie Burke

That Council rise from in-camera session and report. (12:47 a.m. on February 29, 2012)

CARRIED

REPORT OF DEVELOPMENT SERVICES COMMITTEE- February 21, 2012

(1) CONFIDENTIAL PROPERTY MATTER IN WARDS 1 AND 5 (8.6)

Moved by Councillor Valerie Burke
Seconded by Councillor Howard Shore

- 1) That the confidential report dated February 16, 2012 from the Chief Administrative Officer and Town Solicitor regarding a confidential property matter in Wards 1 and 5 be received; and,
- 2) That Staff be authorized and directed to do all things necessary as set out in this report.

CARRIED

REPORT OF GENERAL COMMITTEE – February 27, 2012

(2) BOARD AND COMMITTEE APPOINTMENT (16.24)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Logan Kanapathi

- 1) That a Council Advisory Committee for the South East Community Centre & Library (SECC&L) be established; and,
- 2) That the appointment of members be referred to General Committee.

CARRIED

(3) BOARD AND COMMITTEE RESIGNATIONS (16.24)

Moved by Councillor Don Hamilton
Seconded by Deputy Mayor Jack Heath

- 1) That the resignation of Councillor Valerie Burke from the Diamond Jubilee Committee be received with regret for information purposes; and,
- 2) That the resignation of Yasuko Naka from the Animal Care Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and,

- 3) That the resignation of Ramanlal Patel from the Seniors Advisory Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti; and further,
- 4) That the resignation of Hetal Damania from the Race Relations Committee be received with regret for information purposes and that a letter of appreciation be forwarded by Mayor Frank Scarpitti.

CARRIED

(4) PROPOSED PROPERTY ACQUISITION MATTER (7.12.2)

Moved by Councillor Alan Ho

Seconded by Councillor Logan Kanapathi

- 1) That the confidential presentation from Andy Taylor, Chief Administrative Officer regarding a proposed property acquisition matter be received; and,
- 2) That staff be authorized to proceed as directed by Council this date.

CARRIED

(5) PROPOSED PROPERTY ACQUISITION MATTER (7.12.2)

Moved by Councillor Logan Kanapathi

Seconded by Councillor Alex Chiu

- 1) That the confidential presentations from Andy Taylor, CAO and Brenda Librecz, Commissioner of Community & Fire Services regarding a proposed property acquisition matter be received; and,
- 2) That staff be authorized to proceed as directed by Council this date.

CARRIED BY A RECORDED VOTE (7:4)

(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Alex Chiu. (7)

NAYS: Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Alan Ho. (4)

ABSENT: Regional Councillor Jim Jones, Regional Councillor Gord Landon. (2)

COUNCIL – February 28, 2012**(6) LITIGATION MATTER (8.0)**

- 1) That the confidential verbal update from Catherine Conrad, Town Solicitor, regarding a litigation matter be received; and,
- 2) That staff be authorized to proceed as directed by Council this date.

CARRIED**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That By-law 2012-52 be given three readings and enacted.

Three Readings

BY-LAW 2012-52 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF FEBRUARY 28 AND 29, 2012.

[By-law](#)**CARRIED****15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Don Hamilton

That the Council meeting be adjourned at 12:52 a.m. on February 29, 2012

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)