



## **COUNCIL MINUTES**

**November 22, 2011**

Council Chamber, Anthony Roman Markham Civic Centre

**Meeting No. 19**

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### **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  
Catherine Conrad, Town Solicitor  
Brenda Librecz, Commissioner of Community and Fire Services  
Kimberley Kitteringham, Town Clerk  
Andrew Brouwer, Deputy Town Clerk  
Dennis Flaherty, Director, Communications & Community Relations  
Joel Lustig, Treasurer  
John Wong, Technology Support Specialist

The Regular Meeting of Council convened at 7:13 p.m. on November 22, 2011 in the Council Chamber, Civic Centre.

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

(1) None declared.

**2. MINUTES****(1) COUNCIL MINUTES – NOVEMBER 8, 2011****Minutes**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on November 8, 2011, be adopted.

**CARRIED**

**3. PRESENTATIONS**

There were no presentations considered by Council.

**4. DELEGATIONS**

Council consented to add Delegations 1 to 10.

- (1) Richard Ling, Borden Ladner Gervais LLP, on behalf of Markham Free Methodist Church, 22 Esna Park Drive, addressed Council regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, to accommodate a place of worship proposal, and spoke in support of the passage of By-law 2011-217. (10.5)  
(See New/Other Businesses Item No. 1 and By-law 2011-217)
- (2) Sean Gosnell, Borden Ladner Gervais LLP, on behalf of Markham Free Methodist Church, 22 Esna Park Drive, addressed Council regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, to accommodate a place of worship proposal, and spoke in support of the passage of By-law 2011-217. (10.5)  
(See New/Other Businesses Item No. 1 and By-law 2011-217)
- (3) Jessica A. Pompilio, Holcin Canada Inc., on behalf Dufferin Concrete at 7655 Woodbine Avenue, addressed Council regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, to accommodate a place of worship proposal, and spoke in opposition to the passage of By-law 2011-217. (10.5)  
(See New/Other Businesses Item No. 1 and By-law 2011-217)

- (4) Gerry Borean, Parente Borean LLP, on behalf of Davencourt Investments Limited, owners of 15, 25, 35 and 39 Riviera drive and Descor Limited Partnership, 25-39 Riviera Drive, addressed Council regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, to accommodate a place of worship proposal, and spoke in opposition to the passage of By-law 2011-217. (10.5)  
(See New/Other Businesses Item No. 1 and By-law 2011-217)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Alex Chiu

That Council consider New/Other Businesses Item No. 1 and By-law 2011-217 regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, immediately following the delegations with respect thereto.  
(See By-law Section of these minutes for Council's decision on this matter)

**CARRIED**

- (5) James Kennedy, KLM Planning Partners Inc., addressed Council on In-camera Item 5 (Declaration of Surplus Land for Former Road Allowance between Lots 10 and 11, Concession 9) and spoke in support of the Town of Markham declaring the land surplus. (8.2)  
(In-camera Item No. 5)
- (6) Gord Walter, Sherwood Amber Glen Ratepayers Association, addressed Council on In-camera Item 5 (Declaration of Surplus Land for Former Road Allowance between Lots 10 and 11, Concession 9) and spoke in support of the Town of Markham retaining the land. (8.2)  
(In-camera Item No. 5)
- (7) Ann Laxton, Unionville Villagers' Association and Unionville Historical Society, addressed Council on the matter titled "Alteration to the Queen's Hotel at 174-178 Main Street, Unionville" and spoke in opposition of the actions taken. (16.11)  
(Item No. 1, Report No. 63)
- (8) Luiz Almeida, addressed Council on the matter entitled "Recommendation Report, 2218942 Ontario Limited, 9225 9<sup>th</sup> Line, Applications for Official Plan, Secondary Plan and Zoning By-law Amendment to permit a financial institution with an associated drive through service facility" and spoke in support of the proposal. (10.3, 10.4 and 10.5)  
(New/Other Businesses Item No. 2)

- (9) Alex Hardy, Markham Residents for Responsible Community Planning, addressed Council and enquired about the issues outlined in the petition submitted to the Town of Markham regarding the proposed Place of Worship at 6232 16th Avenue. (10.6)

**(See following motion to hear the delegation)**

Moved by Councillor Colin Campbell

Seconded by Councillor Logan Kanapathi

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

**CARRIED**

(2/3 Vote was requested & obtained)

- (10) Bhupen Karia, Markham Residents for Responsible Community Planning, addressed Council and requested a meeting with Mayor Frank Scarpitti regarding the proposed Place of Worship at 6232 16th Avenue. (10.6)

**(See following motion to hear the delegation)**

Moved by Councillor Colin Campbell

Seconded by Deputy Mayor Jack Heath

That Council hear the delegation of Bhupen Karia regarding the proposed Place of Worship at 6232 16th Avenue immediately following the By-laws Section of the meeting.

**CARRIED**

(2/3 Vote was requested & obtained)

## **5. PETITIONS**

There were no petitions considered by Council.

**6(a) REPORT NO. 62 - GENERAL COMMITTEE (November 14, 2011)**

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

That Report No. 62 – General Committee comprised of 4 items be received and adopted.

(1) STATUS OF CAPITAL PROJECTS AS OF  
SEPTEMBER 30, 2011 (7.5)

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

- 1) THAT the report entitled “Status of Capital Projects as of September 30, 2011” be received; and,
- 2) THAT the net amount of \$3.145M from the closure of completed capital projects be transferred to the sources of funding as listed on Exhibit A which includes the top up for the capital contingency in the amount of \$28,889 and planning development charge contingency in the amount of \$19,604; and,
- 3) THAT surplus funds from the completed Development Charges (DC) capital projects in the amount of \$136,552 be transferred to project #10585 “Markham Live” to fund the growth related expenditures (amount is reflected in Exhibit A); and,
- 4) THAT surplus funds from the completed Theatre capital projects in the amount of 27,336 (project #7006 “Markham Theatre Orchestra Pit Safety Net” \$7,254 and project #7600 “HVAC – Building Automation System \$20,082) be transferred to project#11157 “Theatre House Speaker & Amplifier System Replacement audio equipment” to fund the purchase of additional equipment (amount is reflected in Exhibit A); and further,
- 5) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(2) PRE DEVELOPMENT CHARGES ACT  
ENGINEERING RESERVE FUND AND THE  
10% NON DC GROWTH RESERVE FUND (7.11)

[Report](#)

- 1) THAT the report dated November 14, 2011 entitled “Pre DCA Engineering Reserve Fund and the 10% Non DC Growth Reserve Fund” be received; and,

- 2) THAT a new reserve fund be established titled Non DC Growth Reserve Fund for the purpose of funding the non DC component of growth related projects; and,
- 3) THAT the Pre DCA Engineering Reserve Fund (087-2800160) be closed and the remaining balance of approximately \$10.1M be transferred to the Non dc Growth Reserve Fund; and,
- 4) THAT the 10% Non DC Growth Reserve Fund (087-2800220) be closed and the remaining balance of approximately \$6.2M be transferred to Non DC Growth Reserve Fund; and,
- 5) THAT any future transactions related to the Pre DCA Engineering Reserve Fund be deposited into the Non DC Growth Reserve Fund; and,
- 6) THAT staff report back regarding a funding strategy for the Non DC Growth Reserve Fund; and further,
- 7) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) NOVEMBER 2011 - CANCELLATION, REDUCTION  
OR REFUND OF TAXES UNDER *SECTIONS 357 AND  
358 OF THE MUNICIPAL ACT, 2001* (7.3)  
[Report](#)

- 1) THAT taxes totalling approximately \$274,775.74 be adjusted under Section 357 (in the amount of \$255,768.39) and Section 358 (in the amount of \$19,007.35) of the *Municipal Act, 2001* of which the Town's portion is estimated to be \$34,803.82; and,
- 2) THAT the associated interest be cancelled in proportion to the tax adjustments; and,
- 3) THAT the Treasurer be directed to adjust the Collector's Roll accordingly; and further,
- 4) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(4) 2011- 2015 MARKHAM THEATRE STRATEGIC PLAN (6.2)

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

- 1) THAT the report titled Markham Theatre Strategic Plan be received; and,
- 2) THAT 2011-2015 Markham Theatre Strategic Plan as outlined in Appendix A be approved in principle as a strategic direction subject to the presentation of future business plans, budgets, and the need to report on any requests for new major initiatives; and,
- 3) THAT the new Vision, Mission, Values/Guiding Principles of Markham Theatre as presented in the Strategic Plan be approved; and,
- 4) THAT the set of 32 metrics defining success for Markham Theatre be approved; and further,
- 5) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

**6(b) REPORT NO. 63 - DEVELOPMENT SERVICES COMMITTEE  
(November 15, 2011)**

Council consented to separate Item No. 1 for voting purposes. (See following Item No. 1)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 63 – Development Services Committee comprised of 3 items be received and adopted.

(1) ALTERATION TO THE QUEEN'S HOTEL  
BUILDING PERMIT APPLICATION 11 129318 NH  
174-178 MAIN STREET  
UNIONVILLE HERITAGE CONSERVATION DISTRICT (16.11)  
[Correspondence](#) [Report](#)

- 1) That building permit application 11 129318 NH to retroactively approve the alteration of a window to a door on the front door of the historic Queen's Hotel at 174-178 Main Street, Unionville, be approved as constructed; and,

- 2) That the correspondence from David Conway, property owner, in support of approval of the Building Permit, be received; and
- 3) That the depositions by Roger Kanda, applicant, and Rob Kadlovski, Co-chair of Unionville BIA, in support of approval of the Building Permit, be received; and,
- 4) That there is no objection to the removal of interior walls as outlined in the Building Permit application; and,
- 5) That a meeting be arranged between staff and the landlord, to consider further enhancements to the building; and further,
- 6) That staff be directed to take any actions necessary to give effect to the resolution.

**CARRIED****(Resolution No. 1 carried by a recorded vote) (10:3)**

(See following recorded vote)

Council consented to separate the motion regarding the alteration for Queen's Hotel at 174-178 Main Street for voting purposes. Resolution No. 1 was carried by a recorded vote as follows:

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)

NAYS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton. (3)

- (2) 1839314 ONTARIO LIMITED  
(FORMERLY GREAT ELDIN DEVELOPMENTS LTD)  
9560 HIGHWAY 48  
DRAFT PLAN OF SUBDIVISION AND  
REZONING APPLICATIONS TO PERMIT  
TOWNHOUSES, A FUTURE MIXED USE  
DEVELOPMENT BLOCK AND A PUBLIC PARK  
(SU 11 109000 & ZA 11 108999) (10.7, 10.5)  
[Report](#)

- 1) That the report dated November 15, 2011 titled "RECOMMENDATION REPORT, 1839314 Ontario Limited (formerly Great Eldin Developments Ltd.), 9560 Highway 48, Draft plan of subdivision and rezoning applications to permit townhouses, a future mixed use development block, and a public park (File Nos: SU 11 109000 & ZA 11 108999)", be received; and,



- 2) That the record of the Public Meeting held on June 21<sup>st</sup>, 2011, regarding the applications for approval of Draft Plan of Subdivision and implementing Zoning By-law be received; and,
- 3) That the Draft Plan of Subdivision (19TM-95081) submitted by 1839314 Ontario Limited be draft approved subject to the conditions attached as Appendix 'A' to this report; and,
- 4) That the application submitted by 1839314 Ontario Limited to amend Zoning By-laws 304-87 and 177-96, as amended, to permit townhouses and a public park be approved and the draft by-laws attached as Appendix 'B' be finalized and enacted without further notice; and,
- 5) That conditional 2011 servicing allocation for 46 townhouse units be granted to draft plan of subdivision 19TM-95081, subject to written confirmation from the Trustee of the Wismer Commons Developers Group that servicing allocation is available from the total 2011/2012 sewer and water allocation previously assigned to Wismer Commons; and,
- 6) That the Town reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 7) That the draft plan approval for plan of subdivision 19TM-95081 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,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) INTERNATIONAL INVESTMENT  
ATTRACTION PROGRAM 2012 (10.16)

[Report](#)

- 1) That the report entitled "International Investment Attraction Program" 2012 be received; and,
- 2) That Markham partner with the Indo-Canada Chamber of Commerce (ICCC) to develop, promote and execute a business mission and that the ICCC help to recruit mission delegates and provide organizational and promotional services and travel arrangement services in advance of and during the mission; and,

- 3) That the Town be represented by a four person delegation composed of Mayor Frank Scarpitti, Councillor Carolina Moretti, Chair of the Economic Development Committee, and two Economic Development professional staff, S. Chait (Director) and C. Kakaflikas (Manager Special Projects); and,
- 4) That the total cost of the “International Investment Attraction Program” not exceed \$47,800.00 and be expensed from within the 2012 “International Investment Attraction Program” Capital Budget; and,
- 5) That Council pre-approve the International Investment Attraction Program Capital Budget in the amount of \$76,300, with the remaining funds of \$28,500 to be used for the China investment attraction program; 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. 64 - DEVELOPMENT SERVICES PUBLIC MEETING  
(November 15, 2011)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 64 – Development Services Public Meeting comprised of 5 items be received and adopted.

- (1) IBM CANADA LIMITED  
8200 WARDEN AVENUE  
APPLICATION TO EXTEND A TEMPORARY  
USE BY-LAW PERMITTING A  
TEMPORARY PARKING LOT (ZA 11 116660) (10.5)  
[Report](#) [Attachment](#)

- 1) That the Development Services Commission report dated September 13, 2011, entitled “IBM Canada Limited, 8200 Warden Avenue, Application to extend a temporary use by-law permitting a temporary parking lot,” be received; and,
- 2) That the Record of the Public Meeting held on November 15, 2011 with respect to the proposed zoning by-law amendment, be received; and,
- 3) That the zoning by-law amendment application (ZA 11 116660) be approved and the draft zoning by-law amendment be finalized and enacted; and further,

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

**CARRIED**

- (2) ROBERT AND DEBORAH TIBERIO  
196 AND 198 LANGSTAFF ROAD EAST  
APPLICATION FOR ZONING BY-LAW AMENDMENT  
TO EXTEND PERMISSIONS FOR TEMPORARY USES  
FOR AN ADDITIONAL THREE YEARS  
(ZA 11 119729) (10.5)

[Memo](#)

- 1) That the report entitled “Information Report, AGS Consultants Ltd., 139, 195 201, 203, and 205 Langstaff Road East, 3, 5, and 21 Essex Avenue, Robert and Deborah Tiberio, 196 and 198 Langstaff Road East, Applications for Zoning By-law Amendments to extend permissions for temporary uses for an additional three years, File No’s.: ZA 11 114963, ZA 11 114979, ZA 11 114988 and ZA 11 119729”, dated November 15, 2011 be received; and,
- 2) That the Record of the Public Meeting held on November 15, 2011, with respect to the proposed amendments to Zoning By-law 2551, as amended, be received; and,
- 3) That the application by Robert and Deborah Tiberio (ZA 11 119729) to amend Zoning By-law 2551, as amended, be approved; and further,
- 4) That the proposed amendment to Zoning By-law 2551, as amended, be finalized and enacted without further notice.

**CARRIED**

- (3) AGS CONSULTANTS LTD.  
139, 195, 201, 203 AND 205 LANGSTAFF ROAD EAST  
3, 5 AND 21 ESSEX AVENUE  
APPLICATION FOR ZONING BY-LAW AMENDMENT  
TO EXTEND PERMISSIONS FOR TEMPORARY USES  
FOR AN ADDITIONAL THREE YEARS  
(ZA11 114963, ZA 11 114979 AND ZA 11 114988) (10.5)  
[Memo](#)

- 1) That the report entitled “Information Report, AGS Consultants Ltd., 139, 195 201, 203, and 205 Langstaff Road East, 3, 5, and 21 Essex Avenue, Robert and Deborah Tiberio, 196 and 198 Langstaff Road East, Applications for Zoning By-law Amendments to extend permissions for temporary uses for an additional three years, File No’s.: ZA 11 114963, ZA 11 114979, ZA 11 114988 ZA 11 119729”, dated November 15, 2011 be received; and,
- 2) That the Record of the Public Meeting held on November 15, 2011, with respect to the proposed amendments to Zoning By-law 2551, as amended, be received; and,
- 3) That the applications by AGS Consultants Ltd. (ZA 11 114963, ZA 11 114979 and ZA 11 114988) to amend Zoning By-law 2551, as amended, be approved; and further,
- 4) That the proposed amendments to Zoning By-law 2551, as amended, be finalized and enacted without further notice.

**CARRIED**

- (4) E. MANSON INVESTMENTS LTD.  
CRESTGLADE INVESTMENTS, AND  
ZUREIT HOLDINGS LTD.  
ZONING BY-LAW AMENDMENT APPLICATION  
TO PERMIT COMMERCIAL USES AT  
100 STEELCASE ROAD EAST  
(ZA 10 132126) (10.5)  
[Report](#) [Attachment](#)

- 1) That the Development Services Commission report dated September 13, 2011, entitled “Preliminary Report, E. Manson Investments Ltd., Crestglade Investments, and Zureit Holdings Ltd., Zoning By-law Amendment application to permit commercial uses at 100 Steelcase Road East,” be received; and,
- 2) That the Record of the Public Meeting held on November 15, 2011 with respect to the proposed Zoning By-law amendment, be received; and,

- 3) That the application by E. Manson Investments Ltd., Crestglade Investments, and Zureit Holdings Ltd. for a proposed Zoning By-law amendment (ZA 10 132126), be approved and the draft implementing Zoning By-law amendment be finalized and enacted; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

- (5) VALENTINA MANAGEMENT CORPORATION  
FOR A ZONING BY-LAW AMENDMENT TO PERMIT ADDITIONAL  
USES AT 9255 WOODBINE AVENUE  
(ZA 11-114801) (10.5)

[Report](#)

- 1) That the Development Services Commission report dated October 25, 2011, entitled "PRELIMINARY REPORT, Application by Valentina Management Corporation for a Zoning By-law Amendment to permit additional uses at 9255 Woodbine Avenue, ZA 11-114801" be received; and,
- 2) That the Record of the Public Meeting held on November 15, 2011, with respect to the proposed amendment to Zoning By-law 118-79, be received; and,
- 3) That the application by Valentina Management Corporation to amend Zoning By-law 118-79, to permit Private Community Centres, Commercial Schools, Commercial Fitness Centres and Veterinary Clinics on the subject lands, be approved; and further,
- 4) That the proposed amendment to Zoning By-law 118-79 as amended, to permit Private Community Centres, Commercial Schools, Commercial Fitness Centres and Veterinary Clinics on the subject lands, be finalized and enacted without further notice.

(By-law 2011-220)

**CARRIED**

**6(d) REPORT NO. 65 - GENERAL COMMITTEE (November 21, 2011)**

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

That Report No. 65 – General Committee comprised of 9 items be received and adopted.

(1) MINUTES OF THE NOVEMBER 2, 2011  
ENVIRONMENTAL ISSUES COMMITTEE (16.0)

[Minutes](#)

- 1) THAT the Minutes of the November 2, 2011 Environmental Issues Committee be received for information purposes; and,
- 2) THAT the following recommendations of the November 2, 2011 Environmental Issues Committee Minutes be endorsed;

“That the funding application from the Toronto and Region Conservation Authority for \$10,000 for a demonstration rain garden at the Warden House, be approved subject to:

- TRCA working together with Operations Department staff.
- That staff be directed to report back on the cost to replace the existing driveway with permeable materials
- That staff be directed to provide a final drawing of the property at the Warden House depicting all the proposed changes
- That staff be directed to report back on the condition of the tree that is proposed to be taken down; and,

That the Youth Environmental Network of York Region (YENYR) be encouraged to keep the cost of the location of the venue and the guest speaker at a minimum; and,

That the funding application from YENYR for \$8,650 for an Eco-Youth Education Forum be approved; and further,

That the application by the Operations Department for planting at the Civic Centre pond be approved subject to:

- The planting design be extended to include the entire pond edge
- The requested funding being increased to \$15,000 from \$10,000
- That the species selection being broadened to include non-native species
- That a staff team including Urban Design, Asset Management and any other affected departments should participate in this project

- That staff be directed to provide a presentation to Committee regarding Ontario Parks Association and research on environmental standards when planting near a pond
- That staff report back to Committee with details regarding what will be planted”

**CARRIED**

(2) SOUTHEAST COLLECTOR TRUNK SEWER  
ENHANCEMENT PLAN (7.0)

[Report](#)

- 1) THAT the report entitled “Southeast Collector Trunk Sewer Enhancement Plan – Update on Project Implementation”, dated November 14, 2011 be received; and,
- 2) THAT Council endorse the recommended funding allocation for the Southeast Collector Trunk Sewer Enhancement Projects as revised by the Environmental Issues Committee (EIC) on September 20, 2011 as follows:
  - i) University Entrance Scholarship Funding - \$200,000.00
  - ii) Trails Construction in Legacy and Box Grove Communities - \$240,000.00
  - iii) Locust Hill School House Stabilization and Exterior Restoration - \$110,000.00
  - iv) Dimma House on-site House Relocation subject to the TRCA agreement to privatize the dwelling - \$45,000.00; and,
- 3) THAT capital projects be created for; the Trails Construction in Legacy and Box Grove Communities; the Locust Hill School House stabilization and the Dimma House on-site relocation in addition to the (2) previously approved projects by Council on June 28, 2011, to be funded by the Region of York, subject to the execution of a funding agreement between the Region of York and the Town of Markham (York Region will establish a funding arrangement directly with the school boards for the University Entrance Scholarship) with the understanding that the Town not upfront any funds; and,
- 4) THAT the Region of York in consultation with Town staff be authorized to adjust funding allocation within the approved upset limit of \$800,000 for the approved projects as outlined in this report should implementation or partner approvals of projects become barriers to project completion within the general timelines established by the Region; and,
- 5) THAT Council authorize staff to work with the Regional Municipality of York to finalize the implementation agreements; and,

- 6) THAT the Mayor and Clerk be authorized to execute such agreements as necessary to give effect to this report, to the satisfaction of the Town Solicitor; and,
- 7) THAT a copy of this report be forwarded to the Regional Municipality of York, York Region District School Board, York Region Catholic District School Board, Toronto Region Conservation Authority and the Rouge Park Alliance for information; and further,
- 8) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) 2012 WATER/WASTEWATER RATE INCREASE (7.0)

[Report](#)   [Attachment A](#)

- 1) THAT the report dated November 21, 2011 entitled “2012 Water/Wastewater Rate Increase” be received; and,
- 2) THAT the minutes from the public meeting held on October 25, 2011 with respect to the 2012 Water/Wastewater Rate Increase be received; and,
- 3) THAT the 2012 Town of Markham’s (“Town”) Water/Wastewater rate increase be equivalent to the Region of York’s (“Region”) monetary increase of \$0.1487 per cubic metre (m<sup>3</sup>) based on Region’s approved increase of 10%; and,
- 4) THAT in addition to the Region’s increase, the 2012 Water/Wastewater rate increase includes a surcharge of \$0.0626/m<sup>3</sup>; and,
- 5) THAT effective April 1, 2012, the 2012 Water/Wastewater rate will be \$2.6277/m<sup>3</sup>, an increase of \$0.2113/m<sup>3</sup>; and further,
- 6) THAT Staff be authorized and directed to do things necessary to give effect to this resolution.

(By-law 2011-222)

**CARRIED**



(4) AWARD OF QUOTATION # 194-Q-11, TWO  
HIRED LOADERS WITH PLOW AND WING FOR  
WINTER OPERATIONS (5.0)

[Report](#)

- 1) THAT the report entitled “Award of Quotation # 194-Q-11 Two Hired Loaders with Plow and Wing for Winter Operations” be received; and,
- 2) THAT the contract for Two Hired Loaders with Plow and Wing be awarded to the lowest priced bidder, Clifford’s Haulage Ltd. in the total amount of \$440,508.96 for a period of seven years (December 2011-March 2018) inclusive of HST; and,
- 3) THAT the 2011 costs (December 2011) of \$13,126.80 and 2012 to 2018 costs be funded from the Operations Department’s Operating Budget account # 700 504 5301; and,
- 4) THAT the 2013 – 2018 Operating Budgets be adjusted for growth (increase in kilometers of roadway), subject to Council approval; and,
- 5) THAT the 2013 – 2018 Operating Budgets be adjusted annually for price escalation on the hourly rates based on Consumer Price Index (CPI) (Canada all-items CPI September to September) with such increases effective November 1 of each year, subject to Council approval; and,
- 6) THAT the Director of Operations and Manager of Purchasing be authorized to exercise the option to renew the contract for an additional 3 years (November 1, 2018 to March 31, 2021) at the 2011 itemized prices inclusive of annual CPI increase subject to contract performance and budget approval; and,
- 7) THAT the Operations and Financial Services Departments develop a multi-year operations and financial strategy for winter maintenance and report back to Council in the spring of 2012; and,
- 8) THAT this report be brought forward to the November 22<sup>nd</sup>, 2011 Council meeting; and further;
- 9) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(5) LOCAL IMMIGRATION PARTNERSHIP INITIATIVE:  
YORK REGION IMMIGRATION SETTLEMENT STRATEGY (5.0)  
[Presentation](#) [Attachment A](#) [Attachment B](#)

- 1) THAT the presentation by Ms. Sandra Tam, Senior Business Development Officer entitled “Local Immigration partnership Initiative York Region Immigration Settlement Strategy” be received;
- 2) That the York Region Local Immigration Partnership: Immigration Settlement Strategy be endorsed.

**CARRIED**

(6) TEMPORARY ROAD CLOSURE OF  
DENISON STREET BETWEEN CLAYTON DR  
GROVETTE DR/MILIKEN MEADOWS DR (5.10)  
[Report](#)

- 1) THAT the report titled ‘Temporary road closure of Denison Street between Clayton Dr and Grovett Dr/ Miliken Meadows Dr’ be received; and,
- 2) THAT the closure be in effect from 6:00 pm Friday December 2, 2011 to 12:00 pm on Sunday December 4, 2011; and,
- 3) THAT a traffic control plan and a detour route signage plan be prepared by GO Transit (Metrolinx) and submitted to the Town for approval prior to the closure of the road; and,
- 4) THAT a notice of road closure be prepared by Metrolinx and circulated to all emergency services, school boards and the residents and business located on the streets listed in Appendix A; and,
- 5) THAT a notice of the road closure be placed in the local newspaper for 2 consecutive weeks prior to the date of the proposed road closure; and,
- 6) THAT advance notification signage stating start and completion dates be erected on site two weeks prior to the closure of the road; and,
- 7) THAT an exemption to the Town’s Noise Control By-Law 218-89 be made to extend the hours of work for new railway track installation crossing Denison Street from 6:00 pm Friday December 2, 2011 to 12:00 pm on Sunday December 4, 2011; and further,

- 8) THAT Staff be authorized and directed to do all things necessary to give effect to the resolution.

**CARRIED**

(7) RENFREW DRIVE AND HOOPER ROAD  
PROPOSED ALL-WAY STOP CONTROL (5.12.3)  
[Report](#)

- 1) THAT the report entitled “Renfrew Drive and Hooper Road Proposed All-way Stop Control”, be received; and,
- 2) THAT Schedule 12 of Traffic By-law 106-71 be amended to include the intersection of Renfrew Drive and Hooper Road; and,
- 3) THAT a letter of credit funded from the applicant in the amount of \$1,800, be deposited into Operations account #083-5399-8402-005 for the purpose of installing the necessary signs and pavement markings; and,
- 4) THAT the Operations Department be directed to maintain the signs at the subject locations; and,
- 5) THAT York Region Police be requested to enforce the all-way stop control upon installation of these signs and passing of the By-law; and further,
- 6) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2011-223)

**CARRIED**

(8) CLAYTON DRIVE AT HARVEST MOON DRIVE  
- PROPOSED TURN PROHIBITION REMOVAL (5.10)  
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) THAT the staff report entitled “ Clayton Drive at Harvest Moon Drive – Proposed Turn Prohibition Removal”, be received; and,
- 2) THAT Schedule 9 of Traffic By-law 106-71 be amended to rescind the turn prohibitions at the intersection of Clayton Drive and Harvest Moon Drive; and,
- 3) THAT the operation Department be directed to remove the existing turn prohibitions signs at the subject locations; and,

- 4) THAT any future requests to reinstate the turn prohibitions be considered only if a resident solicited petition of the community is submitted; and further,
- 5) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2011-224)

**CARRIED**

(9) GRANDVIEW AREA PROPOSED PARKING  
RESTRICTIONS (5.12.4)

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

- 1) THAT the staff report entitled “Grandview Area Proposed Parking Restrictions”, be received; and,
- 2) THAT Schedule “C” of Traffic By-law 2005-188, be amended by including the south side of Meadowview Avenue, between Dudley Avenue and Willowdale Boulevard; and,
- 3) THAT Schedule “C” of Traffic By-law 2005-188, be amended by including the north side of Grandview Avenue, between a point 55 metres east of Yonge Street and Willowdale Boulevard; and,
- 4) THAT Schedule “C” of Traffic By-law 2005-188, be amended by including the east side of Dudley Avenue, between Grandview Avenue and Meadowview Avenue; and,
- 5) THAT the Operations Department be directed to install the appropriate signs at the subject locations, funded through the Operations Department account # 083-5399-8402-005; and,
- 6) THAT the Operations Department be directed to maintain the signs at the subject locations; and,
- 7) THAT the Parking Control Department be directed to enforce the parking prohibition upon approval of the By-law amendment and installation of the signs; and,
- 8) THAT this report be brought forward to the November 22<sup>nd</sup>, 2011 Council meeting; and further,

- 9) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2011-225)

**CARRIED**

**6(e) REPORT NO. 66 - DEVELOPMENT SERVICES COMMITTEE  
(November 22, 2011)**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Don Hamilton

That Report No. 66 – Development Services Committee comprised of 1 item be received and adopted.

- (1) HERITAGE EASEMENT AGREEMENTS FOR  
HERITAGE PROPERTY TAX REDUCTION PROGRAM (16.11)  
[Report](#)

- 1) That the Mayor and Clerk be authorized to execute Heritage Easement Agreements with the property owners identified on Schedule “A” attached to the report dated November 22, 2011, and any other documents required to give effect thereto, in a form satisfactory to the Town Solicitor; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.  
(By-law 2011-226)

**CARRIED**

**7. MOTIONS**

There were no motions considered by Council.

**8. NOTICES OF MOTIONS**

There were no notices of motions considered by Council.

## 9. COMMUNICATIONS

Council consented to add Communication Nos. 74-2011 to 78-2011.

Moved by Councillor Carolina Moretti

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

73-2011 SANTA CLAUS PARADE ROAD CLOSURE REQUEST (3.5.5)

- The following roads will be closed on November 26, 2011:

#### 9:00 a.m. to 1:00 p.m.

1. Hwy 7 east of Wooten Way to west of Hwy 48
2. Hwy 7 north of Main St Markham to Parkway Ave
3. Wooten Way west of Hwy 7
4. Wideman street north of Hwy 7
5. Christman Court south of Hwy 7
6. Savannah cres north of Hwy 7
7. Jerman Street north of Hwy 7
8. Thomson Court West of Main Street
9. Washington street north of Hwy 7
10. Washington Street & Hwy 7
11. Albert Street & Hwy 7
12. Centre Street east of Main Street
13. Robinson Street west of Main Street
14. Albert Street north of Hwy 7
15. Dublin Street west of Main Street

#### 7:00 a.m. to 1:00 p.m.

16. Robinson Street east of Main St Markham to George St

#### 9:00 a.m. to 1:00 p.m.

17. Wilson Street west of Main Street
18. Bullock Drive west of Main Street
19. Parkway Avenue east of Main Street
20. Ramona Blvd west of George Street

#### 9:30 a.m. to 11:00 a.m.

21. Reeves Drive

9:00 a.m. to 1:00 p.m.

22. Station Street west of Main Street
23. Beech St west of Main Street
24. Eby Way west of Main Street
25. Springdale Ave west of Main Street
26. Gleason Ave east of Main Street
27. Peter Street, south of 16<sup>th</sup> Ave
28. David Street west of Main St
29. Pilkey Lane east of Main St
30. Elizabeth Street, south of 16<sup>th</sup> Avenue
31. Quarry Stone Ave south of 16<sup>th</sup> Ave (Local traffic only)
32. 16<sup>th</sup> Ave east of Mingay Avenue
33. Heritage Corners north of 16<sup>th</sup> Ave (Local traffic only)
34. Main St N east of Deer Park Lane
35. Main St N, east & west of 16<sup>th</sup> Avenue
36. Main St. N, south of Bur Oak Ave

[Info](#)

**CARRIED**

**Received**

74-2011

ROSEMARIE L. HUMPHRIES, HUMPHRIES PLANNING GROUP INC., ON BEHALF OF DAVENCOURT INVESTMENTS LIMITED, OWNERS OF 15, 25, 35 AND 39 RIVIERA DRIVE AND DESCOR LIMITED PARTNERSHIP, 25-39 RIVIERA DRIVE (10.5)

- Forwarding their objection regarding the application submitted by Markham Free Methodist Church to accommodate a place of worship proposal at 22 Esna Park Drive and providing comments with respect thereto.

(New/Other Businesses Item No. 1 and By-law 2011-217)

[Letters](#)

**CARRIED**

75-2011

RICHARD LING, BORDEN LADNER GERVAIS LLP, ON BEHALF OF MARKHAM FREE METHODIST CHURCH, 22 ESNA PARK DRIVE (10.5)

- Forwarding their support regarding the application submitted by Markham Free Methodist Church to accommodate a place of worship proposal at 22 Esna Park Drive and providing comments with respect thereto. A copy of the report from noise consultant Aercoustics Engineering Limited is also attached.

(New/Other Businesses Item No. 1 and By-law 2011-217)

[Letter](#) [Noise Report](#)

**CARRIED**

- 76-2011 DEBBIE ACCETTURA (10.3, 10.4 and 10.5)  
- Providing comments with respect to the applications submitted by 2218942 Ontario Limited (formerly Forcast Inc.), 9225 9<sup>th</sup> Line, for Official Plan, Secondary Plan and Zoning By-law Amendment to permit a financial institution with an associated drive through service facility.  
(New/Other Businesses Item No. 2)  
[Email](#)

**CARRIED**

- 77-2011 ROBERT A DRAGICEVIC, WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED, ON BEHALF OF AGNANI (10.7 and 10.5)  
- Forwarding their request to defer the applications submitted by 1839314 Ontario Limited (formerly Great Eldin Developments Ltd.), 9560 Highway 48, for draft plan of subdivision and rezoning, and providing comments with respect thereto.  
(Item No. 2, Report No. 63)  
[Letter](#)

**CARRIED**

**Referred to all Members of Council**

- 78-2011 OLDE TYME CHRISTMAS CANDLELIGHT PARADE ROAD CLOSURE REQUEST (3.5)  
- The following roads will be closed on December 2, 2011 from 5:30 p.m. to 10:30 p.m.  
1. Fred Varley Drive accessed through Sciberras Road  
2. Victoria Ave accessed through Berkeley Ct & Planning Mill Driveway (for walkers only)  
3. The Bridle Trail, Hastings, Library Lane to Carlton Rd  
4. Eureka Street to Highway 7  
[Info](#)

**CARRIED**



## 10. PROCLAMATIONS

### (1) PROCLAMATION REQUESTS (3.4)

Council consented to add the proclamation of “Bullying Awareness and Prevention Week”.

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the following proclamations issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
  - Diabetes Awareness Month (November 2011)
  - World Diabetes Day (November 14, 2011); and,
- 2) That the following new proclamations be approved and added to the Five-Year Proclamations List approved by Council:
  - International Day of Persons with Disabilities (December 3, 2011)
  - Bullying Awareness and Prevention Week (November 13 to 19, 2011).

**CARRIED**

## 11. NEW/OTHER BUSINESSES

### (1) MARKHAM FREE METHODIST CHURCH, 22 ESNA PARK DRIVE (10.5)

**Note: Council deferred the consideration of By-law 2011-217 related to this matter for up to two months; therefore, the following proposed motion referred from the October 18, 2011 meeting is also deferred:**

- A letter, agreement or provision in the Site Plan agreement, to be registered on title to the subject lands, acknowledging the existence of the Dufferin Concrete operation at 7655 Woodbine Avenue and acknowledging the current noise levels from the Dufferin Concrete operations, and the Markham Free Methodist Church’s acceptance of both as evidenced by their purchase of the property and their rezoning and site plan applications at 22 Esna Park Drive; and,
- A condition of Site Plan Approval requiring the Church to incorporate building materials into their development that will mitigate noise impacts from the Dufferin Concrete, if required.

- (2) 2218942 ONTARIO LIMITED  
(FORMERLY FORCAST INC.), 9225 9<sup>TH</sup> LINE  
APPLICATIONS FOR OFFICIAL PLAN  
SECONDARY PLAN AND ZONING BY-LAW AMENDMENT  
TO PERMIT A FINANCIAL INSTITUTION WITH AN  
ASSOCIATED DRIVE THROUGH SERVICE FACILITY  
(OP.08-116248 AND ZA.08-116256) (10.3, 10.4, 10.5)  
[Report](#) [Appendix A and B](#)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Jim Jones

- 1) That correspondence from Peter Bahen, in support, and from Debbi Accettura, in objection to the proposal by 2218942 Ontario Limited, be received; and.
- 2) That the deputation by Debbi Accettura, in objection to the proposal by 2218942 Ontario Limited, be received; and further,
- 3) That the following resolution referred from the November 15, 2011 Development Services Committee meeting be approved:
  - a) *That the staff report dated November 15, 2011 entitled "Recommendation Report, 2218942 Ontario Limited, 9225 9<sup>th</sup> Line, Applications for Official Plan, Secondary Plan and Zoning By-law Amendment to permit a financial institution with an associated drive through service facility", be received; and,*
  - b) *That the record of the Public Meeting held on June 21, 2011, with respect to the proposed amendments to the Official Plan, Secondary Plan and Zoning By-law, be received; and,*
  - c) *That the applications submitted by 2218942 Ontario Limited to amend the Official Plan (Revised 1987) and Secondary Plan, be approved, and the draft Official Plan and Secondary Plan Amendments attached as Appendix 'A', be finalized and enacted without further notice; and,*
  - d) *That the application submitted by 2218942 Ontario Limited to amend the Zoning By-law be approved and the draft implementing Zoning By-law Amendment attached as Appendix 'B' be finalized and enacted; and further,*
  - e) *That Staff be authorized and directed to do all things necessary to give effect to this resolution.*

(See By-laws 2011-218 and 2011-219)

**CARRIED**

**12. BY-LAWS**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Colin Campbell

That By-law 2011-217 be deferred for up to two months.

**CARRIED**

(See following motion to consider the by-law)

Moved by Councillor Carolina Moretti  
Seconded by Councillor Alex Chiu

That Council consider By-law 2011-217 regarding the zoning by-law amendment application submitted by Markham Free Methodist Church, 22 Esna Park Drive, immediately following the delegations with respect thereto.

**CARRIED**

Moved by Councillor Alex Chiu  
Seconded by Councillor Alan Ho

That By-laws 2011-214 to 2011-216, 2011-218 to 2011-220 and 2011-222 to 2011-226 be given three readings and enacted.

**Three Readings**

BY-LAW 2011-214 ROAD DEDICATION BY-LAW – CASTAN AVENUE  
- A by-law to dedicate certain lands as part of the highways of the Town of Markham.  
[By-law](#)

**CARRIED**

BY-LAW 2011-215 ROAD DEDICATION BY-LAW – HAMMERSLY BOULEVARD, PREBBLE DRIVE, EVERETT STREET & KENTLAND STREET  
- A by-law to dedicate certain lands as part of the highways of the Town of Markham.  
[By-law](#)

**CARRIED**

BY-LAW 2011-216 TORRICE INVESTMENTS, PART LOT CONTROL EXEMPTION BY-LAW

- A by-law to exempt Blocks 115 to 122, Plan 65M-4226 from the Part Lot Control Provisions of the *Ontario Planning Act*.

[By-law](#)

**CARRIED**

BY-LAW 2011-217 MARKHAM FREE METHODIST CHURCH, 22 ESNA PARK DRIVE, ZONING BY-LAW AMENDMENT APPLICATION

- A by-law to amend By-law 108-81, as amended, to operate a place of worship within an existing industrial building.

(See New/Other Businesses Item No. 1)

**DEFERRED**

**(See following motion to defer)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Colin Campbell

That By-law 2011-217 be deferred for up to two months.

**CARRIED**

BY-LAW 2011-218 2218942 ONTARIO LIMITED, 9225 9<sup>TH</sup> LINE, OFFICIAL PLAN AMENDMENT APPLICATION

- A by-law to adopt Official Plan Amendment No. 196 – To permit a financial institution with an associated drive through service facility.

[By-law](#)

**CARRIED**

BY-LAW 2011-219 2218942 ONTARIO LIMITED, 9225 9<sup>TH</sup> LINE, ZONING BY-LAW AMENDMENT APPLICATION

- A by-law to amend By-law 177-96, as amended, to permit a single storey, free standing financial service institution, and to incorporate appropriate development standards.

[By-law](#)

**CARRIED**

BY-LAW 2011-220 VALENTINA MANAGEMENT CORPORATION, 9255 WOODBINE AVENUE, ZONING BY-LAW AMENDMENT APPLICATION

- A by-law to amend By-law 118-79, as amended, to add additional uses on the subject lands.

[By-law](#)

**CARRIED**

- BY-LAW 2011-222 2012 WATER/WASTEWATER RATE INCREASE  
- A by-law to amend Fee By-law 2002-276, a by-law to impose fees or charges for services or activities provided or done by the Town of Markham.  
(Item No. 3, Report No. 65)  
[By-law](#)  
**CARRIED**
- BY-LAW 2011-223 RENFREW DRIVE AND HOOPER ROAD ALL-WAY STOP CONTROL  
(A by-law to amend Traffic By-law 106-71)  
(Item No. 7, Report No. 65)  
[By-law](#)  
**CARRIED**
- BY-LAW 2011-224 CLAYTON DRIVE AT HARVEST MOON DRIVE TURN PROHIBITION REMOVAL  
(A by-law to amend Traffic By-law 106-71)  
(Item No. 8, Report No. 65)  
[By-law](#)  
**CARRIED**
- BY-LAW 2011-225 GRANDVIEW AREA PARKING RESTRICTIONS  
(A by-law to amend Parking By-law 2005-188)  
(Item No. 9, Report No. 65)  
[By-law](#)  
**CARRIED**
- BY-LAW 2011-226 A BY-LAW TO AUTHORIZE THE EXECUTION OF HERITAGE EASEMENT AGREEMENTS  
- Therese Taber, 177 Main Street Unionville; Leslie Ford, 136 Main Street North Markham; Frank and Rosella Bellini, 25 John Street; Neil and Helena Olorenshaw, 16 Peter Street.  
(Item No. 1, Report No. 66)  
[By-law](#)  
**CARRIED**

**13. IN-CAMERA ITEMS**

Council consented to add In-camera Item Nos. 5 to 7.

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alan Ho

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (9:33 p.m.):

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- NOVEMBER 8, 2011  
[Section 239 (2) (g)]

**REPORT OF DEVELOPMENT SERVICES COMMITTEE- November 15, 2011**

- (2) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD  
[Section 239 (2) (e)]
- (3) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD  
[Section 239 (2) (e)]
- (4) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD  
[Section 239 (2) (e)]

**REPORT OF GENERAL COMMITTEE – November 21, 2011**

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

**COUNCIL – November 22, 2011**

- (7) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,  
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES

**CARRIED**

Moved by Regional Councillor Jim Jones  
Seconded by Councillor Colin Campbell

That Council rise from the in-camera session and report. (9:52 p.m.)

**CARRIED**

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING  
- NOVEMBER 8, 2011 (16.0)

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

- 1) That the minutes of the in-camera Council meeting held on November 8, 2011, be confirmed.

**CARRIED**

- (2) MINOR VARIANCE APPEAL  
– 43 CASTLEVIEW CRESCENT A/81/11 (8.0)

Moved by Regional Councillor Gord Landon  
Seconded by Regional Councillor Joe Li

- 1) That the confidential report titled "Minor Variance Appeal, 43 Castlevue Crescent, A/81/11" be received; and,
- 2) That Council direct staff not to attend the Ontario Municipal Board (OMB) Hearing regarding the decision of the Committee of Adjustment to approve a Minor Variance to permit a maximum height of 4.8 metres for a detached garage whereas the By-law requires 4.5 metres; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(3) APPEAL OF VARIANCE TO  
ONTARIO MUNICIPAL BOARD (OMB)  
- 99 THOROUGHBRED WAY (8.0)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Joe Li

- 1) That the confidential report entitled “Appeal of Variance to Ontario Municipal Board (OMB)- 99 Thoroughbred Way”, dated October 25, 2011, be received; and,
- 2) That the Town not be represented at the OMB hearing as the decision of the Committee of Adjustment is related to a matter that has no material impact on Town-wide issues or interests, but rather relates to a dispute between neighbours; and further,
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

**CARRIED**

(4) UPDATE ON GO TRANSIT HAGERMAN  
RAIL SEPARATION PROJECT (5.10)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Joe Li

- 1) That the confidential report dated November 15, 2011 entitled “Update on GO Transit Hagerman Rail Separation Project” be received; and,
- 2) That Staff be authorized and directed to take the actions set out in this report.

**CARRIED**



(5) SALE OF SURPLUS TOWN LANDS – FORMER  
ROAD ALLOWANCE BETWEEN 10 AND 11,  
CONCESSION 9 (8.2)

Moved by Councillor Colin Campbell

Seconded by Deputy Mayor Jack Heath

- 1) THAT the confidential memorandum entitled “Sale of Surplus Town Lands, Former Road Allowance between Lots 10 and 11, Concession 9”, be received; and,
- 2) THAT the former road allowance between Lots 10 and 11, Concession 9, not be declared surplus to municipal purposes and that this property be retained by the Town of Markham; and further,
- 3) THAT staff be directed to do all things necessary to give effect to the foregoing.

**CARRIED BY A RECORDED VOTE**

(See following recorded vote) (11:2)

YEAS: Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Regional Councillor Joe Li, Councillor Valerie Burke, Councillor Howard Shore, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi, Councillor Alex Chiu. (11)

NAYS: Mayor Frank Scarpitti, Councillor Don Hamilton. (2)

(6) UPDATE ON STRATEGIC ENVIRONMENTAL  
LAND ACQUISITION PROGRAM (8.6)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Joe Li

- 1) That the confidential report entitled “Update on the Strategic Environmental Land Acquisition Program” be received for information purposes; and,
- 2) That staff be authorized to undertake any actions necessary to give effect to this report.

**CARRIED**

(7) SELECTION PANEL FOR FILLING THE VACANT POSITION OF  
COMMISSIONER OF CORPORATE SERVICES (11.0)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the following Members of Council be appointed to the Selection Panel for filling the vacant position of Commissioner of Corporate Services:
  - Mayor Frank Scarpitti
  - Regional Councillor Jim Jones
  - Regional Councillor Joe Li
  - Regional Councillor Gord Landon
  - Councillor Howard Shore
  - Councillor Carolina Moretti
  - Councillor Logan Kanapathi

**CARRIED**

**14. CONFIRMATORY BY-LAW**

Moved by Councillor Alex Chiu

Seconded by Councillor Howard Shore

That By-law 2011-221 be given three readings and enacted.

**Three Readings**

BY-LAW 2011-221 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 22, 2011.

[By-law](#)

**CARRIED**

**15. ADJOURNMENT**

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the meeting do adjourn.

**CARRIED**

Council adjourned at 9:55 p. m.

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KIMBERLEY KITTERINGHAM  
TOWN CLERK

(Signed)

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FRANK SCARPITTI  
MAYOR