



COUNCIL MINUTES

November 8, 2011

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 18

Alternate formats for this document are available upon request

ROLL CALL

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

REGRETS

Regional Councillor Gord Landon, Councillor Alan Ho, 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
Peter Loukes, Director Environmental Services
Stephen Huycke, Public Services and Records Coordinator
Bill Snowball, Fire Chief
Gary Adamkowski, Director Asset Management
John Wong, Technology Support Specialist
Ralph Capocci, Chief of Staff to the Mayor

The Regular Meeting of Council convened at 7:08 p.m. on November 8, 2011 in the Council Chamber, Civic Centre.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – OCTOBER 18, 2011**[Minutes](#)

Moved by Councillor Carolina Moretti

Seconded by Deputy Major Jack Heath

- 1) That the Minutes of the Council Meeting held on October 18, 2011, be adopted.

CARRIED

3. PRESENTATIONS**(1) RECOGNITION OF JACQUELINE ROSS
- WINNER OF 2011 GENOMICS TEACHING PRIZE (12.2.6)**

Council recognized Ms. Jacqueline Ross for winning the 2011 Genomics Teaching Prize awarded by the Ontario Genomics Institute (OGI).

The annual award recognizes the Ontario secondary school teacher whose teaching best exemplifies Ontario Genomic Institute's commitment to preparing Ontario's students for their future roles. The Ontario Genomics Institute is a private, not-for-profit corporation focused on using world-class research to create strategic genomics resources and accelerate Ontario's development of a globally-competitive life sciences sector.

(2) MARKHAM SOCCER CLUB 40TH ANNIVERSARY (12.2.6)

Council recognized the 40th Anniversary of the Markham Soccer Club. Members of the Club were in attendance, including:

- Perry Galanis, President
- Sal Malandrino, Vice President
- Wynne Hughes, Vice President
- Paul Gardham, House League Director
- Dino Crammarosa, Coach, Over 35 Men's Team
- Richard Alexander, Captain, Over 35 Men's Team
- Lynn McGarrigle, Executive Director for over 25 years
- Jerry Kooymans, House League Director
- Chris Shea, former President

(3) UNIONVILLE MILLIKEN SOCCER CLUB 35TH ANNIVERSARY (12.2.6)

Council recognized the 35th Anniversary of the Unionville Milliken Soccer Club. Members of the Club were in attendance, including:

- President Richard Herold
- VP Competitive Danny Daniel
- VP Recreational Rex Christopher
- VP Finance Andrew Ross
- Director – Sponsorship & Fundraising Bill Bachra
- Director – Girls Competitive Cecile Corso
- Director – Boys Competitive John Argiropoulos
- Director – Girls Recreational Tony Liscio
- Director – Communications Adil Veliani
- Director – Equipment & Purchasing George Kontos
- Director – Special Projects Patrick O’Hanlon

Coaches 20 years or more

- Bill Markos – 1994
- Andy Wong – 1990
- Sam Lacava – 1992
- Linton Valentine – 1990

Longest Serving Coach

- John Frisoni - 1986

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That By-laws 2011-210 and 2011-211 be brought forward for consideration immediately following the presentations.

(See By-law section of these minutes for Council decision on these by-laws)

CARRIED

4. DELEGATIONS

Council consented to add Delegation Nos. 1 and 2.

Moved by Councillor Colin Campbell

Seconded by Councillor Carolina Moretti

That Council hear the delegations regarding the proposed Place of Worship at 6232 16th Avenue.

CARRIED

(2/3 vote was requested and obtained)

- (1) Mr. Phil Richardson, Markham Residents for Responsible Community Planning, addressed Council regarding the proposed Place of Worship at 6232 16th Avenue and spoke in opposition to the proposed development. Council received a communication from Mr. Richardson. (10.6)
[Communication](#)
- (2) Mr. Bhupen Karia, Markham Residents for Responsible Community Planning, addressed Council regarding the proposed Place of Worship at 6232 16th Avenue and spoke in opposition to the proposed development. (10.6)

5. PETITIONS

There were no petitions considered by Council.

6(a) REPORT NO. 57 - GENERAL COMMITTEE (October 31, 2011)

Moved by Councillor Carolina Moretti

Seconded by Councillor Valerie Burke

That Report No. 57 – General Committee comprised of 6 items be received and adopted.

- (1) DEVELOPMENT CHARGE DEFERRAL POLICY (7.11)
[Report](#) [Appendix A](#)
 - 1) THAT the report entitled “Development Charge Deferral Policy” (the Policy) be received; and,

- 2) THAT the Policy attached as Appendix “A” be endorsed by Council; and,
- 3) THAT the Treasurer be delegated authority to approve applications for development charge deferrals in accordance with the Policy; and,
- 4) THAT the Mayor and Clerk be authorized to enter into Development Charge Deferral Agreements in accordance with the Policy, to the satisfaction of the Treasurer and Town Solicitor; and,
- 5) THAT Schedule A to By-law 2002-276, as amended, be further amended to establish fees related to Development Charge deferral(s) as follows:
 - i) An application fee of \$1,000 for the review of development charge deferral requests; and,
 - ii) A fee equivalent to 1.0% of the value of the deferral request, to a maximum of \$10,000, payable upon execution of the deferral agreement; and,
 - iii. In instances where staff’s costs to prepare and administer a deferral agreement exceed the fee structure set out above, such fees be separately quantified and invoiced to the applicant; and,
- 6) THAT the applicable Director be authorized to set future increases annually based on the change in the Consumer Price Index (Toronto All Items September – September) with such increases effective January 1 and rounded to the nearest half dollar; and,
- 7) THAT notice to the public be provided in accordance with the Town of Markham Procedural By-law 2001-1; and further,
- 8) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) REVISED FLAG POLICY (9.0)

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

- 1) THAT the report entitled “Revised Community Flag Raisings & Flag Protocol Policy” be received; and,
- 2) THAT Council approve the proposed Community Flag Raisings & Flag Protocol Policy; and,

- 3) THAT Council delegate the authority for approving or denying requests for Community Flag Raising(s) to the Clerk: (1) that have been previously approved by Council within five years of the request date; and (2) during Council's summer recess (if required), subject to the terms of the Community Flag Raisings & Flag Protocol Policy; and,
- 4) THAT the list of approved Community Flag Raisings be brought forward to Council once a year for information and review purposes; and,
- 5) THAT two additional flagpoles be installed at the Markham Civic Centre; and further,
- 6) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) FORMER SABISTON LANDFILL SITE
PUBLIC INFORMATION MEETING AND
INDOOR AIR QUALITY (5.1)

[Report](#)

- 1) THAT the report entitled "Former Sabiston Landfill Site – Public Information Meeting and Indoor Air Quality" be received; and,
- 2) THAT Staff be authorized to host a public information meeting in consultation with the Ward Councillor to seek consensus from the public for the implementation of a small aerobic test site (100m x 150m) within the landfill site partnered with Ontario Centre for Excellence (OCE), Seneca College and SPL Beatty; and,
- 3) THAT if based on the public meeting the Aerobic Testing option proceeds, that the cost of \$553,420 be funded from 'Settlers Park Landfill Site Management' account 750-101-5399-7028, with the budget shortfall being requested during the 2014 capital budget process; and,
- 4) THAT the CAO be authorized to enter into necessary agreements with six (6) homeowners bordering the north and west boundaries of the landfill site to conduct indoor air quality monitoring within the residential buildings for one year, to the satisfaction of the CAO and Town Solicitor; at a cost of \$40,000 to be funded from 'Settlers Park Landfill Site Management' account 750-101-5399-7028; and,
- 5) THAT the Staff report back to the Council with the results of the public information meeting and the indoor air quality monitoring program; and further,

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

CARRIED

(4) WEST THORNHILL STORMWATER FLOOD
CONTROL IMPLEMENTATION STRATEGY (5.4)
[Report](#)

- 1) THAT the report titled “West Thornhill Stormwater Flood Control Implementation Strategy” be received; and,
- 2) THAT staff be authorized to retain consultants to refine West Thornhill Phase 1 and Phase 2 solutions, conduct Value Engineering, complete an assessment of local improvement and control measures that may be implemented in the short term, and to complete preliminary design of Phase 1 works in the amount of \$250,000 including HST impact to be funded from accounts 058-6150-8530-005 and 050-6150-9330-005; and,
- 3) THAT staff continue to advance the Stormwater Funding Study to identify financing options for subsequent implementation Phases in West Thornhill, and Town-wide improvements, and to report back to Council on a regular basis; and,
- 4) THAT capital project 050-6150-9330-005 with a current balance of \$1,970,888 and capital project 050-5350-10281-005 with a current balance of \$2,000,000 be consolidated to support West Thornhill Phase 1 improvements identified in the Strategy; and,
- 5) THAT the mandate for the Storm Water Management Liaison Committee be amended to assist with the implementation of the West Thornhill Stormwater Strategy; and further,
- 6) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) DIAMOND JUBILEE COMMITTEE (16.0)
[Memo](#) [Diamond Jubilee Committee](#)

- 1) THAT the Town of Markham establish a committee “The Diamond Jubilee Committee of Markham,” to coordinate Markham activities celebrating the Queen’s Diamond Jubilee in 2012; and,

- 2) THAT the following individuals be appointed to the committee, with a requirement that any further names should also be approved by Council: Randy Barber, Warren Carroll, Cindy and Roger Clements, Sharona Clements, Cam Durham, Vivienne Hansford, Deputy Mayor Jack Heath (Vice-Chair), Councillor Alan Ho, Ed Joaquin, Councillor Logan Kanapathi, Councillor Don Hamilton, Councillor Valerie Burke, Stu Kellock (Co-Chair), Kwan Ho Leung, Denis Pritchard, Melony Stagg, Colonel Hugh Stewart, Beverley Stewart, Khalid Usman, John Webster (Co-Chair), Mary Webster, Steven Yu, and other Councillors who indicate they wish to participate; and,
- 3) THAT the Diamond Jubilee Committee minutes be received by General Committee; and,
- 4) THAT staff report back on the Jubilee Committee's request for administrative and communications assistance; and further,
- 5) THAT the Committee's request for a grant of \$40,000 be approved and that staff report back on the funding source.

CARRIED

(6) SENIORS ADVISORY COMMITTEE APPOINTMENT (16.24)

- 1) That Councillor Alan Ho be appointed to the Senior's Advisory Committee; and,
- 2) That the terms of references be amended to reflect change to the number of Councillors appointed to the Seniors Advisory Committee.

CARRIED

**6(b) REPORT NO. 58 - DEVELOPMENT SERVICES COMMITTEE
(October 25, 2011)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 58 – Development Services Committee comprised of 6 items be received and adopted.

(1) INTENTION TO DESIGNATE A PROPERTY UNDER
PART IV OF THE ONTARIO HERITAGE ACT
NAME: GRAHAM-WIDEMAN HOUSE
ADDRESS: 11584 HIGHWAY 48 (16.11.3)
[Report](#)

- 1) That as recommended by Heritage Markham, the Graham-Wideman House – 11584 Highway 48 be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,
- 2) That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
- 3) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
- 4) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) INTENTION TO DESIGNATE A PROPERTY UNDER
PART IV OF THE ONTARIO HERITAGE ACT
NAME: HATTON-BAKER HOUSE
ADDRESS: 10761 WOODBINE AVENUE (16.11.3)
[Report](#)

- 1) That as recommended by Heritage Markham, the Hatton-Baker House – 10761 Woodbine Avenue, be approved for designation under Part IV of the Ontario Heritage Act as a property of cultural heritage value or interest; and,

- 2) That the Clerk's Department be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
- 3) That if there are no objections to the designation in accordance with the provisions of the Ontario Heritage Act, the Clerk be authorized to place a designation by-law before Council for adoption; and,
- 4) That if there are any objections in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Conservation Review Board; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) BELFIELD INVESTMENTS INC.
PROPOSAL TO REMOVE LANDS AT
8050 WOODBINE AVENUE FROM THE
PARKWAY BELT WEST PLAN AND
MINISTER'S ZONING ORDER (MZO)
(ZA 11 116508) (10.0)
[Report](#)

- 1) That the report titled "RECOMMENDATION REPORT, Belfield Investments Inc., Proposal to remove lands at 8050 Woodbine Avenue from the Parkway Belt West Plan and Minister's Zoning Order (MZO), File No.: ZA 11 116508," dated October 25, 2011 be received; and,
- 2) That the lands not be removed from the Parkway Belt West Plan and Minister's Zoning Order until such time as an Official Plan Amendment is adopted and Zoning By-law Amendment is enacted by the Town which would incorporate the lands into appropriate "Employment Land" Official Plan and Zoning By-law designations; and further,
- 3) That this Recommendation Report be forwarded to the Ministry of Municipal Affairs and Housing (MMAH).

CARRIED

(4) ELIGIBILITY OF ELIAS HAMILTON HOUSE FOR
RELOCATION TO MARKHAM HERITAGE ESTATES
11471 NINTH LINE (16.11)

[Report](#)

- 1) That Heritage Markham recommends to Council that the Elias Hamilton House, 11471 Ninth Line, threatened by road widening on Ninth Line, be declared eligible for relocation to Markham Heritage Estates based on its cultural heritage value or interest; and,
- 2) That the Region of York be requested to advertise the building for relocation, and coordinate the awarding of the building to a successful bidder; and,
- 3) That the Region of York be requested to provide a grant equivalent to the estimated cost of demolition to the successful bidder toward the cost of relocation; and,
- 4) That the Region of York be responsible for site restoration work after relocation of the building, as part of the overall work program for the widening of Ninth Line; and,
- 5) That when the house is designated, interior features of cultural heritage value be included as attributes in the designation by-law; and,
- 6) That staff continue to work with the Region of York to seek alternative locations within the area for the relocation of the Elias Hamilton House, in addition to promoting the building for relocation to Markham Heritage Estates; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) UPDATE ON SERVICING ALLOCATION (5.3, 5.5)

[Report](#)

- 1) That the October 25, 2011 report titled “Update on Servicing Allocation” be received; and,
- 2) That Council authorize the distribution of exchanged allocation to low density developments outlined in Table 1 of this report and authorize Staff to advise Developer’s, Trustees and the Region of York of this exchange; and further,

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

CARRIED

(6) **AWARD OF PROPOSAL 167-R-11 CONSULTING SERVICES
FOR THE MARKHAM CENTRE MOBILITY HUB STATION (5.10)**
[Report](#)

- 1) That the report entitled “Award of Proposal 167-R-11 Consulting Services for the Markham Centre Mobility Hub Station”, be received; and,
- 2) That the contract for Tender “167-R-11 Consulting Services for the Markham Centre Mobility Hub/Station” be awarded to the highest ranked and lowest priced bidder, Arup Canada Inc., in the amount of \$ 339,196.61 inclusive of HST; and,
- 3) That a separate order in the amount of \$ 30,000.00 inclusive of HST be issued for contingency to cover any additional design and consultation costs and that the Director of Engineering be authorized to approve the expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That the Engineering Department Project Management fee in the amount of \$33,227.69 inclusive of HST be funded from the Markham Centre Mobility Hub Account as detailed in this report; and,
- 5) That the award be funded from the approved Markham Centre Mobility Hub Account 640-101-5699-10577 which has an available budget of \$645,000.00; and,
- 6) That the remaining funds in the amount of \$242,575.70 be used for the Transit agencies costs associated with the mobility hub station study and preliminary design of the mobility hub station as budgeted for in this account; and,
- 7) That the commencement of Phases 3 & 4 (functional design components and implementation/phasing plan) of the study be subject to Metrolinx, MTO, VIVA, YRT, endorsement of the preferred 407 transitway alignment, to the satisfaction of Council; and,
- 8) That Mayor Frank Scarpitti (ex-officio), Regional Councillor Gord Landon (Chair of Transportation), Councillor Don Hamilton (Ward Councillor), and Regional Councillor Jim Jones (Chair of Markham Live) be included in Executive Committee; and,

- 9) That staff update Council on the progress of this study; and further,
- 10) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**6(c) REPORT NO. 59 - DEVELOPMENT SERVICES PUBLIC MEETING
(October 25, 2011)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 59 – Development Services Public Meeting comprised of 1 item be received and adopted.

**(1) CORNERSTONE CHRISTIAN COMMUNITY CHURCH INC.
ZONING BY-LAW AMENDMENT
TO ADD ABUTTING LAND ALONG 9TH LINE
FOR FUTURE PARKING (za 09 129155) (10.5)
[Notice](#)**

- 1) That the written submission from Catherine Yip, with concerns regarding the application by Cornerstone Christian Community Church Inc, be received; and,
- 2) That the Record of the Public Meeting held on October 25, 2011, with respect to the revised zoning amendment application to the Town of Markham's Zoning By-law 304-87, as amended, to add lands that formed part of the 9th Line right-of-way to the east as part of the overall development proposal for the place of worship/community centre be received; and,
- 3) That the revised zoning amendment application by Cornerstone Christian Community Church Inc., to amend the Town's By-law 304-87, as amended, to add the lands that formed part of the 9th Line right-of-way to the east as part of the overall development proposal for the place of worship/community centre be approved; and further,
- 4) That the revised zoning amendment application to the Town's Zoning By-law 304-87, as amended, be enacted without further notice.

CARRIED

**6(d) REPORT NO. 60 - DEVELOPMENT SERVICES COMMITTEE
(November 1, 2011)**

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 60 - Development Services Committee comprised of 1 item be received and adopted.

(1) ROUGE PARK UPDATE (10.0)

[Presentation](#)

- 1) That additional alternative representatives to the Rouge Park Alliance, to ensure Markham representation on key Rouge Park issues when representatives Kanapathi and Campbell are unavailable, be appointed as: Lilli Duoba as first alternate; and Jim Baird, Commissioner of Development Services as second alternate; and,
- 2) That senior staff representatives to Parks Canada Rouge National Park negotiations to assist Markham's Rouge Park Alliance representatives, be appointed as: Jim Baird, Commissioner of Development Services; and Andy Taylor, Chief Administrative Officer.

CARRIED

**6(e) REPORT NO. 61 - DEVELOPMENT SERVICES COMMITTEE
(November 8, 2011)**

Council consented to add Report No. 61.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 61 - Development Services Committee comprised of 1 item be received and adopted.

- (1) STRINGBRIDGE INVESTMENTS LIMITED
SOUTHWEST QUADRANT OF HIGHWAY 7
AND SOUTH TOWN CENTRE BOULEVARD
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO PERMIT A MIXED-USE DEVELOPMENT
INCORPORATING HOTEL, COMMERCIAL AND RESIDENTIAL USES
(ZA 10 109997) (10.5)
[Report](#)

- 1) That the correspondence from Mark Noskiewicz of Goodmans, representing Markham Suites Hotel, in opposition to the proposal by Stringbridge Investments Limited, be received; and,
- 2) That the depositions by Patricia Foran, representing Stringbridge, Jason Kaptyn of Kaptyn Hospitality Inc., and Mark Noskiewicz of Goodmans, representing Markham Suites Hotel, regarding the proposal by Stringbridge Investments Limited, be received; and,
- 3) That the staff report dated November 8, 2011 titled "RECOMMENDATION REPORT, Stringbridge Investments Limited, Southwest quadrant of Highway 7 and South Town Centre Boulevard, Application for Zoning By-law Amendment to permit a mixed-use development incorporating hotel, commercial and residential uses, File No. ZA 10 109997," be received; and,
- 4) That Council endorse the recommendations of the November 8, 2011 staff report; and,
- 5) That the Town Solicitor and staff be directed to attend the Ontario Municipal Board hearing commencing on December 12, 2011 to support the application as outlined in the November 8, 2011 staff report; and,

- 6) That the modeling forecasts for Markham Centre be up-dated to reflect the increased residential unit count and adjustments to the employment forecasts resulting from the approval of the proposed development; and,
- 7) That staff report to Council on an updated Precinct Plan for the Stringbridge/Times lands prior to reporting on site plan approval for the proposed development; and,
- 8) That staff be authorized to enter into negotiations with the applicant regarding a Section 37 contribution, to form the basis of a draft Section 37 agreement to be brought back to Council for consideration before removal of the holding provision from the zoning of the lands; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

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

Moved by Councillor Valerie Burke

Seconded by Regional Councillor Joe Li

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

Referred to all Members of Council

71-2011 LIQUOR LICENCE APPLICATION FOR GOLDEN HORSE RESTAURANT,
4580 HIGHWAY 7 EAST (3.21)
- Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ownership change for restaurant previously liquor licenced) (Ward 3) (3.21) [Info](#)

CARRIED

- 72-2011 FESTIVAL OF LIGHTS ROAD CLOSURE REQUEST (3.5)
- The following roads will be closed on November 26, 2011 from 11:00 a.m. to 10:00 p.m.:
1. Main Street Markham North from Hwy 7 to South of Parkway Avenue
 2. Access east from Main Street Markham is closed to:
 - a) Centre Street
 - b) Robinson Street
 3. Access west to Main Street Markham is closed to:
 - a) Dublin Street
 - b) Robinson Street
 - c) Wilson Street. [Info](#)

CARRIED

10. PROCLAMATIONS

- (1) PROCLAMATION FOR APPROVAL (3.4)
[Info](#)

Moved by Councillor Howard Shore
Seconded by Councillor Colin Campbell

- 1) That the following new proclamation be approved and added to the Five-Year Proclamations List approved by Council:
 - Pulmonary Hypertension Month (November 2011)

CARRIED

- (2) PROCLAMATION FOR APPROVAL (3.4)

Moved by Councillor Howard Shore
Seconded by Councillor Colin Campbell

Whereas Holocaust Education Week, is an annual event produced by the Sarah and Chaim Neuberger Holocaust Education Centre every November, which presents diverse educational, cultural and community programs, culminating in a *Kristallnacht* commemoration; and,

Whereas this is the largest Holocaust educational forum of its kind, Holocaust Education Week features leading voices in Holocaust and Human Rights awareness at venues throughout the Greater Toronto Area including many locations throughout the Town of Markham;

Now therefore be it resolved:

- 1) That November 1 to 9, 2011 be proclaimed as “31st Annual Holocaust Education Week” in the Town of Markham; and,
- 2) That this new proclamation be added to the Five-Year Proclamations List approved by Council.

CARRIED

11. NEW/OTHER BUSINESSES

- (1) DECLARATION OF SURPLUS REAL PROPERTY
- PART 1, 65R-33129, BEING LAND SOUTH OF THE AHORN GROVE
AND WARDEN AVENUE INTERSECTION (7.0)

*Notices of Proposed Sale
Town of Markham
Proposed Sale of Surplus Real Property
(Pursuant to By-law 178-96)*

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Logan Kanapathi

- 1) That the notice of proposed sale for the Town owned lands legally described as Part 1, 65R-33129, being land south of the Ahorn Grove and Warden Avenue intersection, be confirmed.
(In-Camera Item No. 1)

CARRIED

12. BY-LAWS

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That By-laws 2011-210 and 2011-211 be brought forward for consideration immediately following the presentations.

CARRIED

Moved by Councillor Don Hamilton

Seconded by Councillor Logan Kanapathi

That By-laws 2011-210 and 2011-211 be given three readings and enacted.

CARRIED

Moved by Councillor Colin Campbell

Seconded by Councillor Valerie Burke

That By-laws 2011-206 to 2011-209 and 2011-212 be given three readings and enacted.

CARRIED

Three Readings

BY-LAW 2011-206 A BY-LAW TO DEDICATE CERTAIN LANDS AS PART OF THE HIGHWAYS OF THE TOWN OF MARKHAM

- Block 68, Plan 65M-4216 (Williamson Road), Block 19, Plan 65M-4217 (Swan Park Road) and Block 176, Plan 65M-4025 (Arbour Drive).

[By-law](#)

CARRIED

BY-LAW 2011-207 HOLD REMOVAL BY-LAW - CATHEDRALTOWN LTD.

- A by-law to amend By-law 177-96, as amended, to permit future employment development(s) on the subject lands (19TM-06003A, 65R-30576, Part of Lots 23 and 23, Concession 3, west of Woodbine Avenue By-Pass and east of Highway 404, north of Major Mackenzie Drive).

[By-law](#)

CARRIED

BY-LAW 2011-208 WYKLAND ESTATES INC. ZONING BY-LAW AMENDMENT, WEST OF CORNELL CENTRE BOULEVARD AND SOUTH OF 16TH AVENUE

- A by-law to amend By-law 177-96, as amended, to permit porches to encroach into the required rear yard and required setback between the detached garage and main building (outdoor amenity space).

[By-law](#)

CARRIED

BY-LAW 2011-209 GLENN AND CHERYL HARRINGTON ZONING BY-LAW AMENDMENT, 6882 14TH AVENUE

- A by-law to amend By-law 194-82, as amended, to add a business office as a permitted use on the subject property.

[By-law](#)

CARRIED

BY-LAW 2011-210 DAVID A. ROBERTSON ZONING BY-LAW AMENDMENT, 4630 Highway 7 (deleting by-law)

- A by-law to amend By-law 134-79, as amended, to delete subject lands from the designated area of By-law 134-79, as amended, so that they may be incorporated into By-law 122-72, as amended, to permit a commercial building containing a bank with a drive-thru component and a drug store.

[By-law](#)

CARRIED

BY-LAW 2011-211 DAVID A. ROBERTSON ZONING BY-LAW AMENDMENT, 4630 Highway 7 (implementing by-law)

- A by-law to amend By-law 122-72, as amended, to permit a commercial building containing a bank with a drive-thru component and a drug store.

[By-law](#)

CARRIED

BY-LAW 2011-212 DEEMING BY-LAW – 127 MAIN STREET, UNIONVILLE

- A by-law to deem Lots 9 to 13, Plan 401, not to be a registered plan of subdivision. (Repeals By-law 2011-170)

[By-law](#)

CARRIED

13. IN-CAMERA ITEMS

Moved by Councillor Carolina Moretti
Seconded by Councillor Don Hamilton

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (8:30 p.m.):

REPORT OF GENERAL COMMITTEE – October 31, 2011

- (1) DECLARATION OF SURPLUS REAL PROPERTY
– PART 1, 65R-33129, BEING LAND SOUTH OF THE AHORN GROVE
AND WARDEN AVENUE INTERSECTION (7.0)
[Section 239 (2) (a)] - The security of the property of the municipality or local board
- (2) POTENTIAL LITIGATION MATTER (8.0)
[Section 239 (2) (e)] - Litigation or potential litigation, including matters before
administrative tribunals, affecting the municipality or local board

REPORT OF DEVELOPMENT SERVICES COMMITTEE- November 1, 2011

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

CARRIED

Moved by Councillor Don Hamilton
Seconded by Councillor Logan Kanapathi

That Council rise from the in-camera session and report. (8:57 p.m.)

CARRIED

(1) DECLARATION OF SURPLUS REAL PROPERTY
– DISPOSITION OF TOWN OWNED PROPERTY
FOR THE WARDEN AVENUE ROAD WIDENING FROM
16TH AVENUE TO MAJOR MACKENZIE DRIVE PROJECT (7.0)

Moved by Councillor Colin Campbell

Seconded by Councillor Don Hamilton

- 1) That the confidential report entitled “Declaration of Surplus Real Property – Disposition of Town Owned Property for the Warden Avenue Road Widening from 16th Avenue to Major Mackenzie Drive Project” be received; and,
- 2) That Part 1, 65R-33129, being land south of the Ahorn Grove and Warden Avenue intersection be declared surplus pursuant to By-Law 178-96 and that the notice of the proposed disposition of such land be placed on the agenda for the Council Meeting on November 8, 2011; and further,
- 3) That Staff be authorized and directed to take the actions set out in this report.
(New/Other Business Item No. 1)

CARRIED

(2) POTENTIAL LITIGATION MATTER (8.0)

Moved by Regional Councillor Jim Jones

Seconded by Deputy Mayor Jack Heath

- 1) That the confidential report dated October 31, 2011 from the Town Solicitor and Commissioner of Development Services be received; and,
- 2) That staff be authorized and directed to take the actions set out in this report.

CARRIED

(3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND
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Council consented to not report out this matter at this time.

14. CONFIRMATORY BY-LAW

Moved by Councillor Valerie Burke

Seconded by Councillor Colin Campbell

That By-law 2011-213 be given three readings and enacted.

Three Readings

BY-LAW 2011-213 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF NOVEMBER 8, 2011.

[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Councillor Logan Kanapathi

Seconded by Councillor Valerie Burke

That the meeting do adjourn.

CARRIED

Council adjourned at 8:58 p. m.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)