



COUNCIL MINUTES

October 4, 2011

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 16

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 Alan Ho, Councillor Alex Chiu.

REGRETS

Councillor Logan Kanapathi.

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

Andrew Brouwer, Deputy Town Clerk

Dennis Flaherty, Director, Communications & Community Relations

Joel Lustig, Treasurer

John Wong, Technology Support Specialist

Ralph Capocci, Chief of Staff to the Mayor

The Regular Meeting of Council convened at 7:06 p.m. on October 4, 2011 in the Council Chamber, Civic Centre.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES**(1) COUNCIL MINUTES – SEPTEMBER 20, 2011**[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Minutes of the Council Meeting held on September 20, 2011, be adopted.

CARRIED

Council consented to add the name “Mary Cawfield” and to revise the name of “Stacey Dombrowsky” to read “Stacey Gorlicky Dombrowsky” under Presentation Item No. 5 contained in the September 20, 2011 Council minutes.

3. PRESENTATIONS**(1) 35TH ANNIVERSARY OF THE THORNHILL VILLAGE
WHEAT SHEAF FESTIVAL RECOGNITION (12.2.6)**

Council recognized Co-Chairs Mr. David Rawcliffe, Mr. Brian Ryan, Mr. Adam Birrell and all individuals involved for a job well done in organizing the 35th Anniversary of the Thornhill Village Wheat Sheaf Festival held on September 17, 2011.

Moved by Councillor Valerie Burke

Seconded by Councillor Howard Shore

- 1) That Council express its appreciation to the Society for the Preservation of Historic Thornhill (SPOHT), the Community Volunteer Organizing Committee and all individuals involved for a job well done in organizing the Thornhill Village Wheat Sheaf Festival.

CARRIED

(2) UNITED WAY OF YORK REGION 2011 CAMPAIGN PRESENTATIONS (12.2.6)

Mr. Daniele Zanotti, CEO, United Way of York Region, provided an overview of the 2011 Fundraising Campaign.

Mr. Jamie Bosomworth, Chair of the 2011 Town of Markham United Way Employee Fundraising Campaign, provided highlights of the campaign.

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the presentations of Mr. Daniele Zanotti, CEO, United Way of York Region and Mr. Jamie Bosomworth, Chair of the 2011 Town of Markham United Way Employee Fundraising Campaign, providing an overview of the 2011 Fundraising Campaign be received; and,
- 2) That Council acknowledge the contributions of the 2011 Town of Markham United Way Employee Fundraising Campaign Members, including:
 - Jamie Bosomworth, Tina Roberge, Wendy Bond, Donna Harris, Diane Samek, Freda Lee, Nancy Letman, Warren Rupnarain, Stephen Corr, Katie Burnes, Denise Round, Christy Lehman, Lori Sperrino, Jeffrey Rahim and Donna Cooper.

CARRIED

(3) MARKHAM CHINESE NEW YEAR CELEBRATIONS (12.2.6)

Council recognized the Directors of the Canadian Asian Business Information Network (C.A.B.I.N.) for a job well done in co-hosting the Markham Chinese New Year Celebrations held at the Anthony Roman Markham Civic Centre from 1999 to 2010, including:

- Raymond Yue
- Peggy Jor
- Roger Kwan
- Allan Lai
- Rebecca Ling
- Grace Wong
- Simon Wong

Council will also recognize Mr. Ken Ho, President of the Canada Chinese Real Estate Brokerage Association (C.C.R.E.B.A.), for co-hosting the Markham Chinese New Year Celebrations held on February 5, 2011.

- (4) RECOGNITION OF 2011 CANADIAN NATIONAL
DRAGON BOAT TEAM MEMBERS
- GOLD MEDALS WINNERS AT THE WORLD CHAMPIONSHIPS (12.2.6)

Council recognized the 2011 Canadian National Dragon Boat Team Members for winning the following Gold Medals at the World Championships held from August 1 to 7, 2011 at Tampa, Florida:

Canadian National Men's Crew (over 50 age group)
(4 Gold Medals – 2000m, 1000m, 500m, & 200m)

Dr. Robert Hall
John Law
Stan Walton

Canadian National Mixed Crew
(4 Gold Medals – 2000 m, 1000 m, 500m & 200m)

Dr. Robert Hall
John Law
Lance Stewart

4. DELEGATIONS

- (1) MARION MATTHIAS
- RECOGNITION OF GWYNETH WOJNA (12.2.6)

Moved by Councillor Valerie Burke
Seconded by Councillor Howard Shore

- 1) That the delegation by Mrs. Marion Matthias informing Council that Mrs. Gwyneth Wojna is the founder of the Society for the Preservation of Historic Thornhill (SPOHT) be received; and,
- 2) That Council recognize Mrs. Gwyneth Wojna for her contribution to the Society.

CARRIED

5. PETITIONS

There were no petitions considered by Council.

6(a) REPORT NO. 50 - GENERAL COMMITTEE (September 26, 2011)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That Report No. 50 General Committee comprised of 3 items be received and adopted.

(1) INTERNATIONAL INDIAN FILM ACADEMY BUZZ EVENTS UPDATE 2011 (6.5)

[Presentation](#)

- 1) That the presentation by Mr. John Ryerson, Director, Culture, entitled “International Indian Film Academy Buzz Events Update 2011” be received; and,
- 2) That 50% of the funds remaining be allocated to the South Asian Mela annual event over a period of three years; and,
- 3) That staff report back on the use of the balance of funds; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) RECREATION, CULTURE & LIBRARY PRICING & SUBSIDY STRATEGY DEVELOPMENT APPROACH (6.0)

[Presentation](#)

- 1) That the presentation by Mary Creighton, Director, Recreation Services, entitled “Recreation, Culture & Library Pricing & Subsidy Strategy Development Approach” be received; and,
- 2) That the fitness centre membership component of the Recreation, Culture & Library Pricing and Subsidy Strategy be reviewed immediately and staff report back to General Committee within two months on same; and,

- 3) That a Recreation, Culture & Library Pricing & Subsidy Steering Committee be established comprised of the following: Regional Councillor Gord Landon, Regional Councillor Jim Jones, Councillor Howard Shore, Councillor Logan Kanapathi and Councillor Alex Chiu; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) SENIOR CENTRES FACILITY OPERATING AGREEMENT (6.0)
[Report](#)

- 1) That the report entitled "Senior Centres Facility Operations Agreement" be received; and,
- 2) That the Mayor and Clerk be authorized to execute a Facility Operating Agreement between the Older Adults in Action (O.A.I.A) at 22 Water Street and the Town of Markham for the period January 1, 2010 to December 31, 2015; and,
- 3) That the Mayor and Clerk be authorized to execute a Facility Operating Agreement between the Thornhill Seniors Club at 7755 Bayview Avenue and the Town of Markham for the period January 1, 2010 to December 31, 2015; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**6(b) REPORT NO. 51 - DEVELOPMENT SERVICES COMMITTEE
(September 27, 2011)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 51 – Development Services Committee comprised of 3 items be received and adopted.

- (1) FUNG LOY KOK INSTITUTE OF TAOISM
378 STEELES AVENUE EAST
WEST OF LAURELEAF ROAD
APPLICATIONS FOR A ZONING BY-LAW AMENDMENT
AND SITE PLAN APPROVAL TO PERMIT A PLACE OF WORSHIP
(ZA 08 125376 AND SC 07 125397) (10.5, 10.6)
[Report](#) [Figures](#) [App A](#) [App B](#) [App C](#) [App D](#)

- 1) That the Staff report entitled “Recommendation Report, Fung Loy Kok Institute of Taoism, 378 Steeles Avenue East, West of Laureleaf Road, Applications for a Zoning By-law Amendment and Site Plan Approval to permit a place of worship”, be received; and,
- 2) That correspondence from Robert Armstrong, President, Ward One (South) Thornhill Residents Inc., with concerns regarding the Fung Loy Kok Institute of Taoism be received; and
- 3) That the deputations by Brigitte Shim, Chris Farano, Toinette Bezant, Marion Matthias, and Adam Brown regarding the Fung Loy Kok Institute of Taoism be received; and further,
- 4) That the application submitted by Fung Loy Kok Institute of Taoism, 378 Steeles Avenue East, to amend Zoning By-law 1767, as amended, be denied.

CARRIED

(2) BUR OAK AVENUE (CORNELL)
COMMERCIAL PARKING (5.12.4)
[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the staff report entitled “Bur Oak Avenue (Cornell) Commercial Parking”, be received; and,
- 2) That Schedule “C” of Traffic By-law 2005-188, pertaining to “Prohibited Parking” be amended by including subject portions of Bur Oak Avenue in Cornell, as per the attached by-law amendment; and,
- 3) That Schedule “D” of Traffic By-law 2005-188, pertaining to “Parking for a Restricted Period” be amended by including subject portions of Bur Oak Avenue in Cornell, as per the attached by-law amendment; and,
- 4) That Schedule “H” of Traffic By-law 2005-188, pertaining to “Parking Permit Program Areas” be amended by including subject portions of Bur Oak Avenue in Cornell, as per the attached by-law amendment; 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;
- 7) That the Parking Control Department be directed to enforce the parking prohibition upon installation of the signs; and,
- 8) That Operations staff monitor the parking on Bur Oak in association with the business owners’ group, the Cornell Ratepayers’ Association and the Ward Councillor and that it adjust the parking bylaw program as required; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2011-199)

CARRIED

(3) VICTORIA SQUARE AND CACHET ESTATE
COMMUNITY LOCAL SERVICE IMPROVEMENTS (5.6)
[Report Attachment A-D](#)

- 1) That the report entitled “Victoria Square and Cachet Estate Local Service Improvements” be received; and,
- 2) That the proposed Local Service Improvement Projects for Victoria Square North, Victoria Square South and Cachet Estate not proceed at this time; and,
- 3) That staff be authorized to cancel Request for Tender 196-T-10, Victoria Square North Community Local Service Improvement, which closed on September 15, 2010; and,
- 4) That the final cost for the study and design in the amount of \$ 15,752.20 along with the Engineering fees for time spent to date on the Victoria Square and Cachet Estate local service improvement projects be charged to the corresponding accounts as outlined in this report; and,
- 5) That the Mayor and Clerk be authorized to enter into agreement(s) with individual residents and group of residents who have requested installation of sanitary sewer and/or watermain for their properties subject to conditions outlined in this report; and further,
- 6) That the staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(c) REPORT NO. 52 - GENERAL COMMITTEE (October 3, 2011)

Moved by Councillor Carolina Moretti

Seconded by Councillor Alan Ho

That Report No. 52 – General Committee comprised of 2 items be received and adopted.

(1) LYME DISEASE PETITION (2.0)

[Background Documents](#)

[Petition & Municipal Supporters](#)

[Letter from The Hon. Julian Fantino P.C., M.P.](#)

[Supporting information](#)

- 1) That the presentation by Ms. Jessica Bell Taliana entitled “Lyme Disease Petition” be received; and,
- 2) Whereas, the tick-borne illness known as Chronic Lyme Disease, which mimics many catastrophic illnesses, such as Multiple Sclerosis, Chohn's, Alzheimer's, arthritic diabetes, depression, Chronic Fatigue and Fibromyalgia is increasingly endemic in Canada, but the scientifically validated diagnostic tests and treatment choices are currently not available in Ontario, forcing patients to seek these in the United States of America and Europe; and,
- 3) Whereas, the *Canadian Medical Association* informed the public, governments, and the medical profession in May 30, 2000 edition of their professional journal that Lyme Disease is endemic throughout Canada, particularly in Southern Ontario; and,
- 4) Whereas, the Ontario Public Health system and the Ontario Health Insurance Plan currently do not fund those specific tests that accurately serve the process for establishing a clinical diagnosis, but only recognize testing procedures known in the medical literature to provide false negatives 45 to 95% of the time; and now,
- 5) THEREFORE BE IT RESOLVED, that the Town of Markham request the Minister of Health to direct the Ontario Public Health system and OHIP to include all currently available and scientifically verified tests for Acute and Chronic Lyme diagnosis, to do everything necessary to create public awareness of Lyme Disease in Ontario, and to have internationally developed diagnostic and successful treatment protocols available to patients and physicians; and,

- 6) That the Council of the Town of Markham requests York Region's Community & Health Services Committee hear the presentation regarding Lyme Disease as soon as possible; and further,
- 7) That York Region prepare a response to the concerns regarding Lyme Disease and report back to York Region Council and York Region local municipalities on the results of their staff findings.

CARRIED

(2) PROPOSED 2012 WATER/WASTEWATER
RATE INCREASE (7.0)
[Report](#)

- 1) That the report dated October 3, 2011 entitled "Proposed 2012 Water/Wastewater Rate Increase" be received; and,
- 2) That staff be authorized to hold a public meeting on October 25, 2011 at 6:30p.m. on the proposed 2012 Water/Wastewater rate increase; 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 (m³) 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/m³; and,
- 5) That effective April 1, 2012, the 2012 Water/Wastewater rate will be \$2.6277/m³, an increase of \$0.2113/m³; and further,
- 6) That Staff be authorized and directed to do 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 Alex Chiu

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

67-2011 LIQUOR LICENCE APPLICATION FOR STANLEY'S FISH HOUSE & PUB,
48 MAIN STREET NORTH (3.21)

- Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ownership change for restaurant previously liquor licenced) (Ward 4) (3.21)

[Info](#)

CARRIED

Referred to Commissioner of Development Services & Town Solicitor

68-2011 ONTARIO MUNICIPAL BOARD ORDER – OFFICIAL PLAN AMENDMENT
NO. 182, VICTORIA SQUARE PLANNING DISTRICT (HAMLET) (13.13)

Explanatory note from the Town Solicitor:

- This OMB decision denies the request of certain persons who appealed the Town's OPA 182 (Victoria Square), for a re-hearing of their appeal. The Board had approved a modified version of OPA 182 in November 2010, which designated the Hamlet of Victoria Square for residential development, save and except for several small areas where commercial is permitted. Several of the appellants to the OPA requested a motion for re-hearing of their appeals on the issue of maximum height within the Hamlet, which was the only issue contested by the parties at the original hearing, all other issues having been agreed to on consent. The requesters alleged that the Board failed to properly state in its decision the reasons for the Board's findings. The Board denied the motion for re-hearing and OPA 182 is finally approved.

[Info](#)

CARRIED

10. PROCLAMATIONS

Moved by Councillor Colin Campbell
Seconded by Councillor Howard Shore

(1) APPROVED PROCLAMATIONS - FOR INFORMATION (3.4)
[Info](#)

- 1) That the following proclamations issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
 - Child Care Worker & Early Childhood Educator Appreciation Day (October 26, 2011)
 - YMCA International Peace Week (November 19 to 26, 2011).

CARRIED

11. NEW/OTHER BUSINESSES

(1) 2012 BUDGET COMMUNITY CONSULTATION PRESENTATION (7.4)
[Presentation](#)

Moved by Councillor Colin Campbell
Seconded by Councillor Alan Ho

- 1) That the presentation titled “2012 Budget Community Consultation Meeting” be received and approved; and,
- 2) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

12. BY-LAWS

Moved by Councillor Carolina Moretti
Seconded by Regional Councillor Joe Li

That By-laws 2011-199 to 2011-201 be given three readings and enacted.

Three Readings

BY-LAW 2011-199 PARKING BY-LAW 2005-188 AMENDMENT (BUR OAK AVENUE
[CORNELL] COMMERCIAL PARKING
(Item No. 2, Report No. 51)
[By-law](#)

CARRIED

BY-LAW 2011-200 KING DAVID INC. ZONING BY-LAW AMENDMENT, 10350
WOODBINE AVENUE (Deleting by-law)
- A by-law to amend By-law 304-87, as amended, to delete the subject
lands from By-law 304-87, as amended, so that they may be incorporated
into By-law 177-96, as amended, to permit townhouse units and apartment
units. (Item No. 4, Report No. 47)
[By-law](#)

CARRIED

BY-LAW 2011-201 KING DAVID INC. ZONING BY-LAW AMENDMENT, 10350
WOODBINE AVENUE (Implementing by-law)
- A by-law to amend By-law 177-96, as amended, to permit townhouse
units and apartment units. (Item No. 4, Report No. 47)
[By-law](#)

CARRIED

13. IN-CAMERA ITEMS

Moved by Councillor Carolina Moretti
Seconded by Councillor Valerie Burke

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (8:17 p.m. in the York Room):

REPORT OF GENERAL COMMITTEE – September 26, 2011

- (1) VACANT POSITION FOR THE
COMMISSIONER OF CORPORATE SERVICES (11.0)

Moved by Councillor Don Hamilton
Seconded by Councillor Alan Ho

That Council rise from the in-camera session and report. (9:31 p.m.)

CARRIED

- (1) VACANT POSITION FOR THE
COMMISSIONER OF CORPORATE SERVICES (11.0)

Moved by Councillor Howard Shore
Seconded by Deputy Mayor Jack Heath

- 1) That staff proceed as directed with respect to the filling of the vacant
Commissioner of Corporate Services position.

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Colin Campbell

That By-law 2011-202 be given three readings and enacted.

Three Readings

BY-LAW 2011-202 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF OCTOBER 4, 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 9:32 p. m.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)