



COUNCIL MINUTES

September 20, 2011

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 14

Alternate formats for this document are available upon request

ROLL CALL

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

STAFF

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
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 7:13 p.m. on September 20, 2011 in the Council Chamber, Civic Centre.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Mayor Frank Scarpitti disclosed an interest with respect to Item No. 2, Report No. 49 regarding Microsoft Licencing Agreement, by nature of his brother being an employee of Compugen Inc., and did not take part in the consideration or discussion of or vote on the question of the approval of such matter. Mayor Scarpitti vacated the Chair and Deputy Mayor Jack Heath assumed the Chair during the consideration of this matter.
- (2) Councillor Carolina Moretti disclosed an interest with respect to In-camera Item No. 4 regarding 84 Peter Street Update, as she is the owner of 82 Peter Street, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

2. MINUTES

- (1) COUNCIL MINUTES
- JUNE 28, JULY 18 AND SEPTEMBER 7, 2011
[June 28](#) [July 18](#) and [Sept 7](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That the Minutes of the Council Meetings held on June 28, July 18 and September 7, 2011, be adopted.

CARRIED

3. PRESENTATIONS

Council consented to add the introduction of the newly appointed Chief Administrative Officer as Item No. 1.

- (1) INTRODUCTION OF ANDY TAYLOR,
NEWLY APPOINTED CHIEF ADMINISTRATIVE OFFICER (12.2.6)

Mayor Frank Scarpitti introduced Andy Taylor as the newly appointed Chief Administrative Officer and presented him with a commemorative plaque.

- (2) RECOGNITION OF REBEKAH BOSCARIOL
- ACHIEVEMENT OF SWIMMING ACROSS LAKE ONTARIO (12.2.6)

Council recognized Rebekah Boscarior for her incredible achievement of swimming across Lake Ontario to raise funds for the Hospital for Sick Children's Cardiac Care Unit.

- (3) 2011 CANADIAN YOUTH CHESS CHAMPIONSHIPS
- RECOGNITION OF MELISSA GIBLON AND REBECCA GIBLON (12.2.6)

Council recognized Melissa Giblon and Rebecca Giblon for their outstanding accomplishments at the 2011 Canadian Youth Chess Championships (CYCC), including:

- Melissa Giblon (1st Place in Girls under 12 years old)
- Rebecca Giblon (3rd Place in Girls under 14 years old)

- (4) MARKHAM STINGERS 14U BOYS VOLLEYBALL TEAM
- RECOGNITION FOR WINNING THE SILVER MEDAL
AT 2011 CANADIAN NATIONAL VOLLEYBALL CHAMPIONSHIPS (12.2.6)

Council recognized Members of the Markham Stingers 14U Boys Volleyball Team for winning the Silver Medal at the 2011 Canadian National Volleyball Championships held in Sherbrooke, Quebec, from May 6 to 8, 2011.

Players

Jacob Bulbulia
Waylon Chen
Daniel Domb
Davis Gordon
Richard Kang
Andrew Kidd
Kelvin Lee
Arvin Namdarian
Ian Sackzkowski
Andrew Shotbolt
Cole Slater
Dalton Sweeney
Michael Williams

Coaches

Garth Morris - Head Coach
Robin Kidd, Assistant Coach

(5) RECOGNITION OF PARTICIPANTS
- EXPEDITION “CLIMB TO CONQUER THE STIGMA OF CHILD
& ADOLESCENT MENTAL HEALTH” (12.2.6)

Council recognized the participants of the expedition “Climb to Conquer the Stigma of Child & Adolescent Mental Health”.

From July 10 to 21, 2011, a dedicated group of Markham Stouffville Hospital physicians, staff and friends ascended Mount Kilimanjaro, the rooftop of Africa. Together they climbed to conquer the stigma of child and adolescent mental health by raising funds and awareness for York Regional’s leading mental health facility: the expanded Child & Adolescent Mental Health Services at Markham Stouffville Hospital.

Representatives from the Markham District Veterans Association was in attendance to welcome the participants.

Participants:

Allan Bell
Neil Walker
Dr. Dagmar Justa
Dr. Christyne Peters
Mark Peters
Ron Hulse
Karen Chadwick
Catherine Anne Seguin
Nicholas Vardon
Glenys Wilkings
Dr. Bryce Wylde
Dr. Michael Rouhi
Dr. Eileen Lougheed
Brandon Lougheed
Dr. Shaz Khan
Dr. Fayaz Dossa
Margie Mackie
Stacey Dombrowsky

4. DELEGATIONS**(1) GORD WALTER, SHERWOOD AMBER GLEN RATEPAYERS ASSOCIATION (8.2)**

Moved by Councillor Colin Campbell

Seconded by Councillor Alan Ho

- 1) That the delegation of Gord Walter, Sherwood Amber Glen Ratepayers Association, in opposition to the matter regarding the notice of the proposed sale for the Town own lands legally described as former road allowance between Lots 10 and 11, Concession 9 be received.
(New/Other Business Item No. 1)

CARRIED

5. PETITIONS

There were no petitions considered by Council.

6(a) REPORT NO. 46 - GENERAL COMMITTEE (September 12, 2011)

Moved by Councillor Carolina Moretti

Seconded by Councillor Logan Kanapathi

That Report No. 46 – General Committee comprised of 3 items be received and adopted.

**(1) ATTENDANCE TO THE INTERNATIONAL
TRAINING WORKSHOP IN BEIJING, CHINA,
SEPTEMBER 17-26, 2011 (11.12)**

[Memo](#)

- 1) That the staff memo dated May 16, 2011 be received; and;
- 2) That the e-mail poll of Council conducted September 1, 2011, approving travel to China for business purposes, be endorsed; and further;
- 3) That approval be granted for Sandra Tam, Senior Business Development Officer to travel to Beijing, China, September 17 to 26, 2011 to attend the International Training Workshop, at a cost of \$2,500.00, funded from Account 610-998-5201.

CARRIED

(2) APPOINTMENT OF MEMBERS TO THE
MAYOR'S YOUTH TASK FORCE FOR THE
PERIOD SEPTEMBER 1, 2011 – JUNE 30, 2012 (16.24)
[Report](#)

- 1) That the following appointments to the Mayor's Youth Task Force be confirmed for the term September 1, 2011, to June 30, 2012:

LEGEND: ☒ - Returning

	NAME	SCHOOL	GRADE
MARKHAM	<input checked="" type="checkbox"/> Joey Loi (Co -Chair)	High School	12
	<input checked="" type="checkbox"/> Carmen Chen	High School	11
	<input checked="" type="checkbox"/> Guruparan Bagawan	High School	12
	<input checked="" type="checkbox"/> Marck Mercado	High School	12
	<input checked="" type="checkbox"/> Shirley Long	High School	12
	Annie Sun	High School	10
	Jeoffre Braga	High School	
UNIONVILLE	<input checked="" type="checkbox"/> Adrian Proestos	High School	12
	<input checked="" type="checkbox"/> Kush Thaker (Co-Chair)	High School	12
	<input checked="" type="checkbox"/> Christine Hui	High School	11
	Christofer Ristovski	High School	11
	Justin Leung	High School	12
	Tiffany Chan	High School	10
	<input checked="" type="checkbox"/> Janice Chu	High School	12
MILLIKEN	<input checked="" type="checkbox"/> Emily Do	High School	10
	Cadesha Bennett	High School	10
THORNHILL	<input checked="" type="checkbox"/> Kevin Jen	High School	11
	<input checked="" type="checkbox"/> Lydia Chan	High School	12
	<input checked="" type="checkbox"/> River Wong	High School	11
	David Zand	High School	10
	Shloka Saini	High School	12

; and,

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

CARRIED

(3) WHITEHALL DRIVE PROPOSED
PARKING PROHIBITION (5.12.4)

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

- 1) That the staff report entitled “Whitehall Drive Proposed Parking Prohibition”, be received; and,
 - 2) That Schedule “C” of Traffic By-law 2005-188, be amended by including the north/west side of Whitehall Ave, between a point 179 metres south of Apple Creek Boulevard and a point 430 metres east of Rodick Road; and,
 - 3) 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,
 - 4) That the Operations Department be directed to maintain the signs at the subject locations; and,
 - 5) That the Parking Control Department be directed to enforce the parking prohibition upon installation of the signs; and further,
 - 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-law 2011-184)

CARRIED

**6(b) REPORT NO. 47 - DEVELOPMENT SERVICES COMMITTEE
(September 13, 2011)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 47 – Development Services Committee comprised of 6 items be received and adopted.

(1) EBENEZER UNITED CHURCH
REQUEST FOR HERITAGE FUNDING (7.0, 16.11)
[Correspondence](#) [Memo](#)

- 1) That the correspondence from Ralph Dunham, and the staff memorandum dated September 13, 2011 be received; and
- 2) That the deputation by Ralph Dunham regarding Heritage funding support for Ebenezer United Church be received; and
- 3) That the request by the Ebenezer United Church at 5000 Steeles Avenue West, for a Five Thousand Dollar (\$5,000) grant from the Designated Heritage Property Grant Program be approved in principle, subject to staff confirming the amount of unused grant money available from the 2010 Designated Heritage Property Grant Program, as well as any funds not allocated in 2010 and 2011, and with any shortfall being provided in 2012 from the 2012 program; and further,
- 4) That the Mayor be authorized to send a letter of support with respect to the church's request for funding from Ontario Trillium Foundation's Community Capital Fund.

CARRIED

(2) ACCESSIBILITY DESIGN GUIDELINES
FINAL REPORT (10.0)
[Presentation](#) [Report](#) [Appendix A](#)

- 1) That the staff report and presentation titled Accessibility Design Guidelines, Final Report, dated June 21, 2011, be received; and,
- 2) That the Accessibility Design Guidelines, Final Report June 2011, be approved by Council; and,
- 3) That the Accessibility Design Guidelines be integrated and coordinated with other Town policies, regulations, manuals, and design guidelines as appropriate; and,

- 4) That staff continue to inform and work with Council, staff, developers, consultants, the community and others to implement the Accessibility Design Guidelines; and,
- 5) That staff may revise the Accessibility Design Guidelines from time to time as necessary; and further,
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) ZOOM ZOOM STORAGE (RODICK) INC.
800 RODICK ROAD
APPLICATIONS FOR ZONING BY-LAW AMENDMENT
AND SITE PLAN APPROVAL TO PERMIT A
SELF-STORAGE WAREHOUSE
(ZA: 08 126867 AND SC 08 125722) (10.5, 10.6)
[Report](#) [Attachment](#)

- 1) That the staff report dated September 13, 2011 entitled “Recommendation Report, Zoom Zoom Storage (Rodick) Inc., Applications for zoning by-law amendment and site plan approval to permit a self-storage warehouse,” be received; and,
- 2) That the zoning amendment application (ZA 08 126867) be approved and the draft implementing zoning by-law amendment attached as Appendix ‘B’ be finalized and enacted; and,
- 3) That the application for site plan approval be endorsed, in principle; and,
- 4) That site plan approval be delegated to the Director of Planning or designate, to be issued following execution of a site plan agreement (Site Plan Approval is issued only when the Director has signed the site plan “approved”), when the following condition has been met:
 - The Owner has entered into a site plan agreement with the Town containing all standard and special provisions and requirements of the Town and public agencies and the conditions outlined in Schedule ‘A’ to the September 13, 2011 staff report; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2001-193)

CARRIED

- (4) KING DAVID INC. AND MONARCH DEVELOPMENTS
– GARDEN COURT
APPLICATIONS FOR ZONING BY-LAW AMENDMENT
AND SITE PLAN APPROVAL FOR THE DEVELOPMENT
OF AN 88 UNIT CONDOMINIUM TOWNHOUSE DEVELOPMENT
AND 4 STOREY 186 UNIT CONDOMINIUM APARTMENT BUILDING
10350 WOODBINE AVENUE
(ZA 10 130576, SC 11 110282 & SC 11 117381) (10.5, 10.6)
[Report](#) [Figures](#) [Appendix C](#) [Appendix D](#)

- 1) That the report dated September 13, 2011, entitled “Recommendation Report King David Inc. and Monarch Developments - Garden Court - Applications for Zoning By-law Amendment and Site Plan Approval for the development of an 88 unit condominium townhouse development and 4 storey 186 unit condominium apartment building - 10350 Woodbine Avenue File No’s: ZA 10 130576, SC 11 110282 & SC 11 117381” be received; and,
- 2) That the record of the public meeting held on May 24, 2011, relating to the applications for Zoning By-law Amendments and Site Plan by King David Inc. and Monarch Developments, 10350 Woodbine Avenue - Cathedral Community, be received; and,
- 3) That Site Plan Approval for an 88 unit condominium townhouse development and 4 storey condominium apartment building be delegated to Staff for endorsement subject to conditions of site plan approval as identified in Appendices ‘A’ and ‘B’ to this report; and,
- 4) That the draft amendments to Zoning By-laws 304-87, as amended and 177-96, as amended, attached to this report as Appendices ‘C’ and ‘D’ be finalized and enacted; and,
- 5) That servicing allocation for an 88 unit condominium townhouse development and 4 storey 186 unit condominium apartment building (670.4 pop.) be granted to the subject lands from the total allocation for the Cathedral Community, assigned in accordance with the January 18, 2011 report on servicing allocation; 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 Region of York be advised of the servicing allocation for this development; and,
- 8) That the site plan approval will lapse after a period of three years commencing on the date of issuance of the site plan endorsement, in the event that a site plan agreement is not executed within that period; and further,

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

CARRIED

(5) **HIGHWAY 7 STREETSCAPE IMPROVEMENTS
FROM VERCLAIRE GATE TO SCIBERRAS ROAD (10.0)**
[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the staff report entitled “Highway 7 Streetscape Improvements from Verclaire Gate to Sciberras Road be received; and,
- 2) That the streetscape concept for Highway 7 widening from Verclaire Gate to Sciberras Road as outlined in this report be endorsed; and,
- 3) That staff be authorized to submit an application to the Municipal Streetscape Partnership Program offered by the Region of York for the installation of enhanced streetscaping for Highway 7 from Verclaire Gate to Sciberras Road; and,
- 4) That a 2011 capital budget be created in the amount of \$3,500,000, funded \$1,750,000 (50%) from the Development Charges Town Wide Hard Reserve and \$1,750,000 (50%) from the Region of York Streetscape Partnership Program; and,
- 5) That staff report back with a revised budget structure should the Region’s funding be approved by the Region at a different amount less than \$1,750,000 or 50%; and,
- 6) That the Director of Engineering and the Director of Planning and Urban Design be authorized to finalize any future revisions to the streetscape plans; and,
- 7) That staff report back in 2012 on the enhanced streetscaping for Highway 7 from Town Centre Boulevard to Verclaire Gate for the 2013 Municipal Streetscape Partnership Program with the Region of York; and
- 8) That the Region of York be requested to work with Town staff and Council, and CPAC representatives to finalize the details of the dedicated bike lane on Highway 7 (Warden Avenue to Sciberras Road) for inclusion into their detailed design and construction tender; and,
- 9) That the Region of York be requested to meet with Town staff, members of Markham Council, representatives from the municipalities of Vaughan and Richmond Hill, and members of the biking community with respect to the overall plan for bike lanes on Regional arterial roads; and further,

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

CARRIED

(6) OAK RIDGES MORAINES FOUNDATION (10.0)

Correspondence

- 1) That the correspondence from Ms. Kim Gavine, Executive Director, Oak Ridges Moraine Foundation requesting support for the ongoing work of the Oak Ridges Moraine Foundation by way of resolution and/or letter, be received; and

Whereas the Oak Ridges Moraine crossed 32 municipalities together identified as key implementing agencies for the Oak Ridges Moraine Conservation Plan and its performance review for 2015; and,

Whereas the Oak Ridges Moraine Foundation has performed its role as strategic hub for the important headwaters recovery efforts of municipalities on the Oak Ridges Moraine; and,

Whereas based on its initial investment of \$15 million, the Oak Ridges Moraine Foundation has efficiently granted \$14.1 million to 177 projects on the Oak Ridges Moraine delivering:

- 1,000 acres of conservation lands restored through stewardship projects such as tree planting, wetland creation, habitat management, prairie restoration and stream restoration
- 5,582 acres of conservation lands protected through acquisition, donation and conservation easements
- 75 km of new trail created resulting in the completion of a continuous east/west recreation trail known as the Oak Ridges Trail
- More than 7,500 school children being educated about the importance of the Oak Ridges Moraine, particularly relating to drinking water
- Knowledge gaps being filled by research undertaken on the Oak Ridges Moraine, and,

Whereas initial investment has been successfully expended by the Oak Ridges Moraine Foundation with leverage of \$35.8 million in funds resulting in \$50 million worth of essential headwaters recovery on the Oak Ridges Moraine; and,

Whereas requests for renewed investment from the Province of Ontario have been ignored to-date with closure looming for the Oak Ridges Moraine Foundation and termination of its mission for headwaters recovery on the Moraine;

Therefore Be It Resolved:

- 1) That the Town of Markham urge the Provincial Government to renew investment in the Oak Ridges Moraine Foundation in a significant amount, to continue to lead the mission for headwaters recovery on the Oak Ridges Moraine; and,
- 2) That a letter of support be sent to the Premier of Ontario from the Mayor, on behalf of the Town of Markham, conveying this resolution.

CARRIED

**6(c) REPORT NO. 48 - DEVELOPMENT SERVICES PUBLIC MEETING
(September 13, 2011)**

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 48 – Development Services Public Meeting comprised 2 items be received and adopted.

- (1) DAVID A. ROBERTSON ENTERPRISES LTD.
REZONING AND SITE PLAN APPLICATIONS
TO PERMIT A COMMERCIAL BUILDING CONTAINING
A BANK AND RETAIL STORE AT 4630 HIGHWAY 7
(ZA 11 116051 & SC 11 117830) (10.5, 10.6)
[Report](#) [Attachments](#)

- 1) That the deputations regarding the application by David A. Robertson Enterprises Ltd. at 4630 Highway 7, be received; and
- 2) That the Development Services Commission report dated June 28, 2011, entitled “Preliminary Report, David A. Robertson Enterprises Ltd., Rezoning and site plan applications to permit a commercial building containing a bank and retail store at 4630 Highway 7,” be received; and,
- 3) That the Record of the Public Meeting held on September 13, 2011 with respect to the proposed Zoning By-law amendment, be received; and,
- 4) That the application by David A. Robertson Enterprises Ltd. for a proposed Zoning By-law amendment (ZA 11 116051), be approved and the draft implementing Zoning By-law amendment be finalized and enacted; and further,

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

CARRIED

- (2) MARKHAM FREE METHODIST CHURCH
22 ESNA PARK DRIVE
APPLICATION FOR ZONING BY-LAW AMENDMENT
TO PERMIT A PLACE OF WORSHIP
IN AN EXISTING INDUSTRIAL BUILDING (za 11 117540) (10.5)

[Memo](#)

- 1) That correspondence from John Bayliss, Holcim (Canada) Inc., with comments regarding the application by Markham Free Methodist Church, be received; and
- 2) That the Development Services Commission report dated September 13, 2011, titled "Information Report, Markham Free Methodist Church, 22 Esna Park Drive, Application for zoning by-law amendment to permit a place of worship in an existing industrial building" be received; and,
- 3) That the Record of the Public Meeting held on September 13, 2011 with respect to the proposed draft Zoning By-law amendment be received; and,
- 4) That the application by Markham Free Methodist Church for Zoning By-law Amendment be approved and the draft Zoning By-law amendment be finalized and enacted; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(d) REPORT NO. 49 - GENERAL COMMITTEE (September 19, 2011)

Council consented to add Report No. 49 as an addendum item.

Council also consented to separate Item No. 2 regarding the Microsoft License Agreement to allow Mayor Frank Scarpitti an opportunity to disclose an interest on the matter.

Moved by Councillor Carolina Moretti

Seconded by Regional Councillor Gord Landon

That Report No. 49 – General Committee comprised of 5 items be received and adopted.

(1) APPOINTMENTS TO BOARD AND COMMITTEES (16.24)

- 1) That the appointments to the Heintzman House for a term ending December 31, 2011, be received for information purposes:

Ken Davis, Chair
Bob Willson, Vice-Chair
Pat Chamandy, Treasurer
Paul Gilonna
Bob Henderson
Barb Somers
Sam Masson
Rogers Jones
Craig Shields
Heather Durham

- 2) That the appointments to the Victoria Square Community Centre with a term ending December 31, 2011, be received for information purposes:

Edith Friedel, Chair
Ruth Brock
Joy Mortson
Jean McCron
Don Boynton
John Christensen

- 3) That the appointments to the Box Grove Community Centre Board be deferred for two weeks.

Tom Farrar, Chair
Stan Buell, Secretary
Dan McCombe, Treasurer
Syed Aziz
Murray Cresswell
Julia Elefano
Angelica Gutierrez
Sherry Hugh
Frank Orovits
Trish Vrotsos
Bob Watt

CARRIED

(2) 162-T-11 MICROSOFT LICENSE AGREEMENT (7.12)
[Report](#)

- 1) That the report entitled “Award of Tender 162-T-11, Microsoft Licencing Agreement” be received; and,
- 2) That tender 162-T-11 for “Microsoft Licensing Agreement” be awarded to the overall lowest priced bidder, CDW Canada Inc., in the total amount of \$709,536.81 inclusive of HST impact, for “Microsoft Licensing Agreement” for a term of three years to expire on July 31, 2014; and,
- 3) That the following annual payments, inclusive of HST towards the Enterprise Agreement and Select Agreement be funded from ITS Department’s Operating Account 400-404-5397. The budget for 2012 - 2014 will be subject to Council approval.
 - \$98,546.78 (August - December 2011)
 - \$236,512.27 (Year 2012)
 - \$236,512.27 (Year 2013)
 - \$137,965.49 (January – July 2014); and,
- 4) That staff be authorized to enter into a 3-year Enterprise Agreement with Microsoft Canada and CDW Canada Inc. in a form satisfactory to Markham Solicitor for the provision of the licensing of Microsoft desktop and server software products; and,
- 5) That the Mayor and the Town Clerk be authorized to execute the agreement; and,

- 6) That this report be brought forward to the September 20th, 2011 Council meeting; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(Mayor Frank Scarpitti abstained)

Mayor Scarpitti vacated the Chair and Deputy Mayor Jack Heath assumed the Chair during the consideration of the matter regarding the Microsoft License Agreement.

(3) IMPLEMENTATION OF LIGHTNING PROTECTION
AND FIRE ALARM SYSTEM AT MARKHAM MUSEUM (6.7)

[Report](#)

1. That the report titled "Implementation of Lightning Protection and Fire Alarm System at Markham Museum" be received; and,
- 2) That staff be authorized to proceed with Phase I of implementation (replacement of fire alarm system) at the estimated cost of \$199,500 with funding from the Life Cycle Replacement & Capital Reserve; and,
- 3) That Phase II of the implementation (install lightning protection system) at the estimated cost of \$240,200 be included in the proposed 2012 Capital budget for consideration with funding from the Life Cycle Replacement & Capital Reserve; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) REQUEST FROM TORONTO CANADA MOOSE JR. A HOCKEY CLUB FOR REDUCED RATES DURING PRACTICE TIME PERIODS. (6.1)

[Report](#)

- 1) That report “Request from Toronto Canada Moose Jr. A Hockey Club for reduced rates during practice time periods be received; and,
- 2) That the Toronto Canada Moose Jr. A Hockey Club be charged the Minor Sport Group rate for practice time; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(Also see Communication No. 66-2011)

CARRIED

(5) CIVIC CENTRE ARTIFICIAL ICE RINK PHASE 2 (6.1)

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

- 1) That the report entitled “Civic Centre Artificial Ice Rink Phase 2” be received; and,
- 2) That Council approve the transfer of surplus funds from the project “Photovoltaic Solar Panel System at 8100 Warden” to fund the Civic Centre Artificial Ice Rink Phase 2 in the amount of \$325,286 inclusive of HST, from account number 056-5350-9540-005; and further,
- 3) 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

Council consented to add Communication No. 66-2011 as an addendum item.

Moved by Councillor Carolina Moretti

Seconded by Councillor Alex Chiu

That Council receive and consent to the disposition of Communication Nos. 62-2011 to 65-2011 in the following manner:

Referred to all Members of Council

62-2011 LIQUOR LICENCE APPLICATION FOR SPICE HOUSE, 820 DENISON STREET, UNIT 1 (3.21)
- Forwarding a request for the Town of Markham to completed the Municipal Information Form (Ownership change for existing restaurant with indoor and outdoor liquor licence) (Ward 8) [Info](#)

CARRIED

63-2011 SPECIAL OCCASION LIQUOR PERMIT FOR MARKHAM FAIR (3.21)
- Request for the Town of Markham to designate the Markham Fair being held from September 29 to October 2, 2011 at 10801 McCowan Road as an event of "Municipal Significance". The designation is a requirement of the Alcohol and Gaming Commission of Ontario (AGCO) for the application of Special Occasion Liquor Permit. (Ward 4) [Info](#)

CARRIED

64-2011 MARKHAM FAIR – ROAD CLOSURE REQUEST (3.5)
- Elgin Mills between Highway 48 and McCowan Road will be closed as follows:
a) September 29 to October 1, 2011 (9:00 a.m. to 10:00 p.m.)
b) October 2, 2011 (9:00 a.m. to 6:00 p.m.) [Info](#)

CARRIED

Referred to Commissioner of Development Services & Town Solicitor

65-2011 ONTARIO MUNICIPAL BOARD ORDERS – BAYVIEW SUMMIT DEVELOPMENTS LIMITED, 2900 STEELES AVENUE EAST (13.13)
- Forwarding their decision to allow for the appeal of the Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of the subject property into a mixed-use community. [Order, OP & By-law](#) (By-laws 2011-195 and 2011-196)

CARRIED

Moved by Councillor Howard Shore
Seconded by Deputy Mayor Jack Heath

That Council receive and consent to the disposition of Communication No. 66-2011 in the following manner:

Referred to all Members of Council

66-2011 UPDATE MEMORANDUM REGARDING TORONTO CANADA MOOSE JR.
A HOCKEY CLUB. (6.1)
- Commissioner of Community and Fire Services providing additional
background information with respect to the request from Toronto Canada Moose
Jr. A Hockey Club for reduced rates during practice time periods. (6.1)
[Memo](#)

CARRIED

10. PROCLAMATIONS

Council consented to add Proclamation Item No. 2 as an addendum item.

(1) PROCLAMATIONS APPROVED
AND PROCLAMATIONS FOR APPROVAL (3.4)
[Info](#)

Moved by Councillor Alex Chiu
Seconded by Councillor Colin Campbell

- 1) That the following proclamations issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
 - Trinidad and Tobago Independence Day (August 31, 2011)
 - Big Brother Big Sister Month (September 2011)
 - United Way Week (September 19 to 23, 2011)
 - Markham Fair Week (September 29 to October 2, 2011)
 - Restorative Justice Week (November 13 to 20, 2011); and,
- 2) That the following new proclamations be approved and added to the Five-Year Proclamations List approved by Council:
 - Lupus Awareness Month (October 2011)
 - Spiritual and Religious Care Awareness Week (October 16 to 22, 2011); and further,
- 3) That the Lupus flag be raised at the Anthony Roman Markham Civic Centre flagpole during the month of October for Lupus Awareness Month.

CARRIED

(2) PROCLAMATION FOR FRANCO-ONTARIAN DAY (3.4)

[Info](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

- 1) That the following proclamation issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
- Franco-Ontarian Day (September 25, 2011); and,
- 2) That the Franco-Ontarian flag be raised at the Anthony Roman Markham Civic Centre flagpole for the duration of the Franco-Ontarian Day.

CARRIED**11. NEW/OTHER BUSINESSES**

Council consented to add New/Other Businesses Item Nos. 2 and 3 as addendum items, and to separate Item No. 1.

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

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the notice of proposed sale for the Town own lands legally described as former road allowance between Lots 10 and 11, Concession 9 be deferred; and,
- 2) That a representative of the Lindvest Properties Limited be invited to present concept plans for their lands in the vicinity of the Town own lands to the Development Services Committee; and further,
- 3) That staff report back to the General Committee on the Town owned lands in relation to the proposed concept plans.

CARRIED AS AMENDED

(See following motion to move the matter forward)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Don Hamilton

That Council consider the matter regarding the notice of proposed sale for the Town own lands legally described as former road allowance between Lots 10 and 11, Concession 9 immediately following the delegation with respect thereto.

CARRIED

Council consented to resolve into an in-camera session to allow an opportunity for the Town Solicitor to provide a verbal update with respect to the motion approved by Council at its meeting held on June 28, 2011 on the proposed sale of Town own lands legally described as former road allowance between Lots 10 and 11, Concession 9.
(In-camera Item No. 5)

(2) 2012 BUDGET SCHEDULE (7.4)
[Report](#) [Revised Dates](#)

Moved by Councillor Carolina Moretti
Seconded by Councillor Alex Chiu

- 1) That the report dated September 19, 2011 entitled “2012 Budget Schedule” be received; and,
- 2) That the Budget Committee meetings scheduled for the dates and times below be approved:

Meeting #1 – Monday October 3rd
(3:30 p.m. to 5:30 p.m. – Canada Room)

Meeting #2 – Tuesday October 11th
(1:00 p.m. to 4:00 p.m. – Canada Room)

Meeting #3 – Friday October 21st
(9:00 a.m. to 11:00 a.m. and 2:00 p.m. to 5:00 p.m. – Council Chamber)

Meeting # 4 - Monday October 24
(9:00 a.m. to 12:00 noon – Canada Room)

Meeting #5 – Tuesday October 25th
(1:00 p.m. to 4:00 p.m. – Council Chamber)

Meeting # 6 – Friday October 28th
(9:00 a.m. to 12:00 noon – Council Chamber); and,

- 3) That initial public input will be sought from meetings with each of the four communities: Thornhill, Markham, Unionville, and Milliken; and,
- 4) That the initial public input meeting dates will be confirmed as soon as possible with communications to Council members accordingly; and,
- 5) That the initial public input meeting presentation be presented at the October 3rd Budget Committee meeting followed by approval at the October 4th Council meeting; and,
- 6) That the Draft Public Meeting Presentation on the Proposed 2012 Budget be presented at the November 14th General Committee meeting; and,
- 7) That a public meeting be held on November 16th to receive public feedback on the 2012 Budget; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) DECLARATION OF SURPLUS REAL PROPERTY -
PROPOSED DISPOSITION OF TOWN OWNED PROPERTIES-
H3 – VIVA HIGHWAY 7 RAPIDWAY CORRIDOR (8.6)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Jim Jones

NOTICES OF PROPOSED SALE

TOWN OF MARKHAM

PROPOSED SALE OF SURPLUS REAL PROPERTY

(Pursuant to By-law 178-96)

- 1) That the notice of proposed sale for the Town own lands legally described as follows be confirmed:
 - a) Part of Lot 9, 65M-2326, designated as Parts 9 and 10, 65R-31707: Lands on the south side of Highway 7 East;
 - b) Part of Lot 9, 65M-2326, designated as Parts 7, 8, and 30, 65R-31707: Lands on the south side of Highway 7 East;
 - c) Part of Lot 11, Concession 4, designated as Part 1, 65R-31711: Lands on the north side of Highway 7 East and east of Rodick Road;

- d) Part of Block 6, 65M-3998, designated as Parts 7 and 8, 65R-31743: Lands being a portion of the buffer on the south side of Highway 7 East and the east side of South Town Centre Boulevard;
 - e) Part of Block 7, 65M-3998, designated as Parts 3, 4 and 14, 65R-31743: Lands being a portion of the buffer on the south side of Highway 7 East and the east side of South Town Centre Boulevard; and
 - f) Part of Lot 10, Concession 4, designated as Part 23, 65R-31823: Lands being a portion of the road allowance on the south side of Cedarland Avenue and the east side of South Town Centre Boulevard.
- (In-camera Item No. 3)

CARRIED

12. BY-LAWS

Council consented to add By-law 2011-198 as an addendum item.

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That By-laws 2011-184 to 2011-194 and By-law 2011-198 be given three readings and enacted.

Three Readings

BY-LAW 2011-184 WHITEHALL DRIVE PARKING PROHIBITION
- A by-law to amend Parking By-law 2005-188
(Item No. 3, Report No. 46)

CARRIED

BY-LAW 2011-185 APPOINTMENT OF MUNICIPAL LAW ENFORCEMENT OFFICERS
(Waterworks Department Staff)
- A by-law to amend By-law 2002-178, being a by-law to appoint
Municipal Law Enforcement Officers (Karen Dennison, Simei Fei
(Rebecca) and Diogo Oliveria)

CARRIED

BY-LAW 2011-186 A BY-LAW TO DESIGNATE A PROPERTY AS BEING OF
CULTURAL HERITAGE VALUE OR INTEREST (JOSEPH MARR
HOUSE).

CARRIED

- BY-LAW 2011-187 PART LOT CONTROL EXEMPTION BY-LAW (ARISTA HOMES [BOXGROVE] INC.)
- A by-law to exempt Lots 88 to 91, Lots 100 to 106 and Lots 115 to 119, Plan 65M-4161, south of Copper Creek Drive and west of Box Grove Bypass.

CARRIED

- BY-LAW 2011-188 PART LOT CONTROL EXEMPTION BY-LAW (CORNELL RIDGE [ARH] HOMES LTD.)
- A by-law to exempt Lots 36 to 43, Blocks 44 to 51 both inclusive, Plan 65M-4219, south east corner of 9th Line at Donald Cousens Parkway.

CARRIED

- BY-LAW 2011-189 PART LOT CONTROL EXEMPTION BY-LAW (NATIONAL HOMES [MARKHAM 6] INC.)
- A by-law to exempt Blocks 110 to 114, Plan 65M-4226, east of Hammersly Boulevard at Bur Oak Avenue.

CARRIED

- BY-LAW 2011-190 PART LOT CONTROL EXEMPTION BY-LAW (NATIONAL HOMES [MARKHAM 6] INC.)
- A by-law to exempt Lots 1 to 5 and Lots 47 to 52, Plan 65M-4225, south east corner of Mingay Avenue at Major Mackenzie Drive.

CARRIED

- BY-LAW 2011-191 PART LOT CONTROL EXEMPTION BY-LAW (CROWN OF MARKHAM)
- A by-law to exempt Blocks 55 and 56, Plan 65M-4196, north of Major Mackenzie Drive and east of Woodbine Avenue.

CARRIED

- BY-LAW 2011-192 PART LOT CONTROL EXEMPTION BY-LAW (MONARCH CORPORATION)
- A by-law to exempt Lot 75, Blocks 108 to 115 and Blocks 124 to 127, Plan 65M-4252, north of Elgin Mills Road and east of Highway 404.

CARRIED

- BY-LAW 2011-193 ZOOM ZOOM STORAGE (RODICK) INC. ZONING BY-LAW AMENDMENT, 800 RODICK ROAD
- A by-law to amend By-law 165-80, as amended, to permit the proposed commercial self storage facility.

CARRIED

- BY-LAW 2011-194 A BY-LAW TO APPOINT A COMMITTEE OF ADJUSTMENT
(Repeals By-law 11-71)
(September 7, 2011 Special Council Meeting)

CARRIED

OMB approved By-laws 2011-195 and 2011-196

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

- BY-LAW 2011-195 BAYVIEW SUMMIT DEVELOPMENTS LIMITED, 2900 STEELES AVENUE EAST, OFFICIAL PLAN AMENDMENT APPLICATION APPROVED BY ONTARIO MUNICIPAL BOARD
- A by-law to assign Official Plan Amendment No. 195 to permit the redevelopment of the subject lands into a mixed-use community.
(See [Communication No. 65-2011](#))

- BY-LAW 2011-196 BAYVIEW SUMMIT DEVELOPMENTS LIMITED, 2900 STEELES AVENUE EAST, ZONING BY-LAW AMENDMENT APPLICATION APPROVED BY ONTARIO MUNICIPAL BOARD
- A by-law to amend Zoning By-law No. 2612, as amended, to permit the redevelopment of the subject lands into a mixed-use community
(See [Communication No. 65-2011](#))

Three Readings

- BY-LAW 2011-198 PART LOT CONTROL EXEMPTION BY-LAW (ANGUS GLEN – WEST VILLAGE PHASE 1)
- A by-law to exempt Part Blocks 36, 40 and 45, and all of Blocks 41 and 43, Plan 65M-4086, south of Major Mackenzie Drive and west of Kennedy Road.

CARRIED

13. IN-CAMERA ITEMS

Moved by Councillor Alex Chiu

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 (9:27 p.m.):

IN-CAMERA COUNCIL MINUTES

- (1) MINUTES OF IN-CAMERA COUNCIL MEETINGS
- JUNE 28 AND SEPTEMBER 7, 2011 (16.0)

COUNCIL – September 20, 2011

- (2) CITIZEN APPOINTMENT TO BOARDS AND COMMITTEES (16.24)

REPORT OF GENERAL COMMITTEE – September 19, 2011

- (3) DECLARATION OF SURPLUS REAL PROPERTY -
PROPOSED DISPOSITION OF TOWN OWNED PROPERTIES
H3 – VIVA HIGHWAY 7 RAPIDWAY CORRIDOR (8.6)
- (4) 84 PETER STREET (8.5)

NEW/OTHER BUSINESS ITEM NO. 1

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

CARRIED

Moved by Regional Councillor Gord Landon

Seconded by Councillor Valerie Burke

That Council rise from the in-camera session and report. (9:54 p.m.)

CARRIED

(1) MINUTES OF IN-CAMERA COUNCIL MEETINGS
- JUNE 28 AND SEPTEMBER 7, 2011 (16.)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the minutes of the in-camera Council meetings held on June 28 and September 7, 2011, be confirmed.

CARRIED

(2) CITIZEN APPOINTMENTS TO BOARDS AND COMMITTEES (16.24)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Joe Li

- 1) That the following persons be appointed to the Animal Care Committee:

	Term Start Date	Term End Date
Janet Andrews	October 1, 2011	November 30, 2014
Esther Attard	October 1, 2011	November 30, 2015
Kathy Clark	October 1, 2011	November 30, 2014
Terri Daniels	October 1, 2011	November 30, 2012
Denielle Duncan	October 1, 2011	November 30, 2012
Jody Greenlaw	October 1, 2011	November 30, 2015
Jeannie Kavanagh	October 1, 2011	November 30, 2014
Rhiannon Lane	October 1, 2011	November 30, 2015
Caroline Lane	October 1, 2011	November 30, 2013
Yasuko Naka	October 1, 2011	November 30, 2013

- 2) That Staff be directed to do all thing necessary to give effect to this resolution.

CARRIED

(3) DECLARATION OF SURPLUS REAL PROPERTY -
PROPOSED DISPOSITION OF TOWN OWNED PROPERTIES-
H3 – VIVA HIGHWAY 7 RAPIDWAY CORRIDOR (8.6)

Moved by Deputy Mayor Jack Heath

Seconded by Regional Councillor Jim Jones

- 1) That the confidential report entitled “Declaration of Surplus Real Property - Proposed Disposition of Town Owned Properties - H3 – Viva Highway 7 Rapidway Corridor” be received; and,
- 2) That the following properties be declared surplus pursuant to By-Law 178-96:
 - a) Part of Lot 9, 65M-2326, designated as Parts 9 and 10, 65R-31707: Lands on the south side of Highway 7 East;
 - b) Part of Lot 9, 65M-2326, designated as Parts 7, 8, and 30, 65R-31707: Lands on the south side of Highway 7 East;
 - c) Part of Lot 11, Concession 4, designated as Part 1, 65R-31711: Lands on the north side of Highway 7 East and east of Rodick Road;
 - d) Part of Block 6, 65M-3998, designated as Parts 7 and 8, 65R-31743: Lands being a portion of the buffer on the south side of Highway 7 East and the east side of South Town Centre Boulevard;
 - e) Part of Block 7, 65M-3998, designated as Parts 3, 4 and 14, 65R-31743: Lands being a portion of the buffer on the south side of Highway 7 East and the east side of South Town Centre Boulevard; and
 - f) Part of Lot 10, Concession 4, designated as Part 23, 65R-31823: Lands being a portion of the road allowance on the south side of Cedarland Avenue and the east side of South Town Centre Boulevard; and,
- 3) That the Mayor and Clerk be authorized to execute a Transfer of Land to the Regional Municipality of York, and any other related documents required to complete the transaction described in this report, in a form satisfactory to the Chief Administrative Office and the Town Solicitor; and,
- 4) That Staff be authorized and directed to take the actions set out in this report.

CARRIED

(4) 84 PETER STREET – UPDATE REPORT (8.5)

Moved by Regional Councillor Gord Landon

Seconded by Regional Councillor Joe Li

- 1) That the confidential report dated September 6, 2011 from the Chief Administrative Officer and Manager of Real Property providing an update regarding the property at 84 Peter Street be received; and,
- 2) That Staff be authorized and directed to take the actions set out in this report.

CARRIED

(Councillor Carolina Moretti abstained)

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

See New/Other Business Item No. 1 for Council's decision on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Howard Shore

Seconded by Councillor Colin Campbell

That By-law 2011-197 be given three readings and enacted.

Three Readings

BY-LAW 2011-197 CONFIRMATORY BY-LAW

A by-law to confirm the proceedings of the Council meeting of September 20, 2011.

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the meeting do adjourn.

CARRIED

Council adjourned at 9:59 p. m.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)