



COUNCIL MINUTES

June 28, 2011

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 12

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

John Livey, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community and Fire Services
Andy Taylor, Commissioner of Corporate Services
Kimberley Kitteringham, Town Clerk
Andrew Brouwer, Deputy Town Clerk
Dennis Flaherty, Director, Communications & Community Relations
Joel Lustig, Treasurer
John Wong, Technology Support Specialist
Jacqueline Chan, Assistant Town Solicitor
Lisa Riegel, Assistant Town Solicitor
Mary Creighton, Director of Recreation
Ralph Capocci, Chief of Staff to the Mayor

The Regular Meeting of Council convened at 7:05 p.m. on June 28, 2011 in the Council Chamber, Civic Centre. Deputy Mayor Jack Heath presided until 7:40 p.m. Mayor Frank Scarpitti assumed the Chair at 7:41 p.m.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES

(1) COUNCIL MINUTES – JUNE 14, 2011

[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

That the Minutes of the Council Meeting held on June 14, 2011, be adopted.

CARRIED

3. PRESENTATIONS

Council consented to add Presentation Item No. 1.

(1) 2011 MAYOR'S SENIORS HALL OF FAME AWARD - PRESENTATION OF AWARD TO JOANNE OLSON (12.2.6)

The Mayor's Seniors Hall of Fame Awards Ceremony was held at the June 14, 2011 Council meeting. Joanne Olson, Winner of the 2011 Mayor's Seniors Hall of Fame Award, was not available to receive the award along with other winners.

On behalf of Members of Council, Mayor Frank Scarpitti presented the Mayor's Seniors Hall of Fame Award to Joanne Olson.

4. DELEGATIONS

Council consented to add Delegations (1) to (3).

(1) MARION MATHIAS REGARDING RECOGNITION OF GERHARD SCHICKEDANZ AND BUTTONVILLE HERITAGE CONSERVATION DISTRICT DESIGNATION AND DISTRICT PLAN (12.2.6 and 16.11)

Mrs. Marion Matthias spoke of Mr. Gerhard Schickedanz who passed away recently and who contributed greatly to the Town of Markham. Mrs. Matthias also indicated her support for the designation of the Buttonville Heritage Conservation District Designation and District Plan.

(2) DELEGATIONS REGARDING HUGHSON DRIVE STUDY AREA (10.0)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Gord Landon

- 1) That Council receive the following delegations regarding the item titled “Information Report, Update on Community Consultation, Hughson Drive Study Area [Hughson Drive, Lunar Crescent, Ankara Court, Polaris Drive and Athens Drive (west end) (SD 10 110091)]:

1. John Olaes
2. Jeremy Tio
3. Helen Antonopoulos
4. Anna Chang
5. Michael Baranowsky
6. Rosemary Torelli
7. Chi Kin Chu

(For Council’s decision on this matter - See Item No. 6, Report No. 45)

CARRIED

(3) DELEGATIONS REGARDING GEMCROSS DEVELOPMENTS
(CONSTRADA AGGREGATE RECYCLING FACILITY), 350 RODICK ROAD (10.0)

Moved by Councillor Alan Ho

Seconded by Councillor Don Hamilton

- 1) That Council receive the following delegations regarding the item titled “Update Report, Gemcross Developments, (Constrada Aggregate Recycling Facility), 350 Rodick Road”:

1. Enoch Mo
2. Edward Mak
3. James Chang

(For Council’s decision on this matter - See Item No. 8, Report No. 45)

5. PETITIONS

There were no petitions considered by Council.

6(a) REPORT NO. 40 - DEVELOPMENT SERVICES COMMITTEE (June 13, 2011)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 40 – Development Services Committee comprised of 3 items be received and adopted.

- (1) ACCEPTANCE FOR MAINTENANCE
OF PLANS OF SUBDIVISIONS
REGISTERED PLAN NUMBERS 65M-3970, 65M-4032,
65M-3976, 65M-3876 – BLK 4, 65M-3571, 65M-3616,
65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874,
65M-4027 AND 65M-4003 (10.7)

[Report](#)

- 1) That the report entitled “Acceptance for Maintenance of Plans of Subdivision” Registered Plan Numbers 65M-3970, 65M-4032, 65M-3976, 65M-3876 – BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 and 65M-4003 dated June 14, 2011 be received; and,
- 2) That the municipal services in Subdivision Registered Plan numbers 65M-3970, 65M-4032, 65M-3976, 65M-3876 – BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 and 65M-4003 be Accepted for Maintenance; and,
- 3) That by-laws be enacted by Council to accept these subdivisions and to establish each of the roads within the residential subdivisions as a public highway of the Town of Markham; and,
- 4) That the Community Services Commission accepts the responsibility for operating and maintaining the infrastructure within the subdivision as part of the Town’s system; and,
- 5) That the Acceptance for Maintenance Period commence June 1, 2011; and,
- 6) That acceptance of the subdivision be taken into consideration in future operating budgets; and,
- 7) That the by-law to amend schedule ‘12’ of Traffic By-law #106-71, by including compulsory stops to the indicated streets, be approved; and,

- 8) That the by-law to amend Schedule 'A' of the Speed By-law #105-71, by including a maximum speed of 40 kilometers per hour for the streets indicated, be approved; and
 - 9) That the by-law to amend schedule 'F' of the speed by-law # 105.71, by including a maximum speed of 50 kilometers per hour for the streets indicated , be approved; and
 - 10) That the by-law to amend Schedule 'C' of the Parking of Vehicles By-law #2005-188, by including prohibited parking on the streets indicated, be approved; and
 - 11) That the Mayor and Clerk be authorized to execute the necessary releases from the terms of the Subdivision Agreements, subject to confirmation from the Director of Engineering that the final two year guarantee periods have been completed; and further,
 - 12) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
- (By-laws 2011-132 to 2011-148)

CARRIED

(2) **BUTTONVILLE HERITAGE CONSERVATION DISTRICT
DESIGNATION AND DISTRICT PLAN (16.11)**

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

- 1) That the Development Services Commission Report entitled "Buttonville Heritage Conservation District Designation and District Plan," dated June 14, 2011, be received; and,
- 2) That correspondence from the owner of 8 Buttonville Crescent W., requesting that the property not be included within the Heritage boundaries, be received; and,
- 3) That a by-law be enacted by Council to designate the Buttonville Heritage Conservation District boundary and to adopt the Buttonville Heritage Conservation District Plan and District Inventory under Part V of the Ontario Heritage Act; and,
- 4) That notice of the passing of the by-law be served on each owner of property located within the heritage conservation district and on the Ontario Heritage Trust, and that notice be published in a newspaper having general circulation in the municipality; and,

- 5) That in the event of an appeal to the by-law in accordance with the provisions of the Ontario Heritage Act, staff be authorized to attend the Ontario Municipal Board in support of the Buttonville Heritage Conservation District boundary and District Plan and Inventory; and,
- 6) That in the event of no appeal of the by-law or the appeal has been dismissed by the Ontario Municipal Board, the following actions be authorized:
 - a. That Council authorize the calling of a public meeting to amend the Markham Official Plan to add reference to the Buttonville Heritage Conservation District boundary and District Plan and Inventory;
 - b. That a by-law be enacted by Council to amend Site Plan Control By-law 2002-202 to include the Buttonville Heritage Conservation District as a Site Plan Control Area;
 - c. That a by-law be enacted by Council to amend Sign By-law 2002-94 to include the Buttonville Heritage Conservation District as a Special Sign District;
 - d. That the designation by-law be registered on title of all properties in the district so that current and future property owners are aware that the properties are within a heritage conservation district;
 - e. That the Markham Register of Property of Cultural Heritage Value or Interest be amended to reflect the status of the properties within the Buttonville Heritage Conservation District and to remove properties that are within the study area, but not included in the district;
 - f. That staff work with the local residents and prepare a report on the introduction of Buttonville Heritage Conservation District entry signage for Woodbine Avenue and district street name signage to help identify and promote the district; and,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2011-149)

CARRIED

(3) HIGHWAY 7 WIDENING UPDATE
TOWN CENTRE BOULEVARD TO SCIBERRAS ROAD (5.10)
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the staff report entitled “Highway 7 Widening Update, Town Centre Boulevard to Sciberras Road” be received; and,

- 2) That the Region of York be requested to advance the construction of Highway 7 from Town Centre Boulevard to Sciberras Road from 2014/2015 to 2012/2013; and,
- 3) That the Mayor and Clerk be authorized to execute agreement(s) with the developers and the Region of York for the construction and funding of the Highway 7 storm sewer, stormwater management pond and storm outfall and any other agreement(s) required to give effect to this report, to the satisfaction of the CAO, Commissioner of Development Services and Town Solicitor; and,
- 4) That the Mayor and Clerk be authorized to execute agreement(s) with the Region of York for their proportionate share of the future operations and long term capital replacement costs of the combined sewer system as defined in this report and other similar combined storm sewers in Markham; and further,
- 5) That staff report back on the final cross section, streetscape design, financial costs to the Town and funding this Fall.

CARRIED

6(b) REPORT NO. 41 - GENERAL COMMITTEE (June 20, 2011)

Moved by Councillor Carolina Moretti

Seconded by Councillor Colin Campbell

That Report No. 41 – General Committee comprised of 3 items be received and adopted.

- (1) MINUTES OF THE JUNE 14, 2011
ENVIRONMENTAL ISSUES COMMITTEE (16.0)
[Minutes Parks Ambassadors Program Report](#)

- 1) That the Minutes of the June 14, 2011 Environmental Issues Committee be received for information purposes; and,
- 2) That the following recommendations from the June 14, 2011 Environmental Issues Committee minutes be endorsed:

“That the report entitled Parks Ambassadors Program be received; and,

That Council approve the Town’s participation in York Regional Police’s Parks Ambassadors Program commencing in the Summer of 2011; and,

That the estimated 2011 costs of \$5,000 for the program be funded equally from the 2011 Operating budgets within the Operations and By-law Enforcement & Licencing departments and the 2012 anticipated costs will be addressed in the 2012 budget process; and,

That staff report back to Council in early 2012 on the outcome of the Parks Ambassadors Program; and,

That staff report back with options to coordinate all Markham Park related programs (such as Adopt-a Park and Park Ambassadors Program); and,

That staff report back in the Fall of 2011 on the Town's current practices regarding the use of police letters of clearance for employees and volunteers; and further,

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

CARRIED

Council consented to delete the following proposed resolution:

"That staff report back in the Fall 2011 whether volunteers working within all Markham programs should be required to provide a letter of clearance from police;"

and to replace it with the following revised resolution:

"That staff report back in the Fall of 2011 on the Town's current practices regarding the use of police letters of clearance for employees and volunteers;"

(2) DEVELOPMENT CHARGE CREDIT/REIMBURSEMENT
APPLICATION - TIMES GROUP CORPORATION (7.11)
[Report](#) [Appendix A](#) [Appendix B](#)

- 1) That the report entitled "Development Charge Credit/Reimbursement Application – Times Group Corporation" be received; and,
- 2) That Council authorize Area Specific Development Charge credits and reimbursement from Area Specific By-laws for areas 9, 42B-6 and 42B-8 not exceeding \$5,128,329, based on current estimates, to Times Group Corporation (O/A 1771107 Ontario Inc.) for land acquisition, as well as the contract administration, construction and warranty of a sanitary sewer along Highway 7 from Main Street, Unionville to Village Parkway; and,

- 3) That Council authorize the amount to be credited and reimbursed to Times Group Corporation (O/A 1771107 Ontario Inc.) be increased after the update of the Area Specific by-laws for areas 9, 42B-6 and 42B-8, to reflect the actual cost of the Highway 7 sanitary sewer which is currently estimated at \$6,238,025; and,
- 4) That Council authorize the reimbursement of \$486,982.82 to Times Group Corporation (O/A 1771107 Ontario Inc.) from Area Specific by-law 42B-6 for that portion of their area specific development charge payment relating to a stormwater management pond, which will no longer be built to service the area as defined in the Town's Development Charge Background Study; and,
- 5) That Council authorize Town Wide Hard Development Charge credits for the lesser of \$1,691,260 (the amount included in the 2008 Development Charge Background Study) and the actual cost of the infrastructure (currently estimated at \$1,018,826) to Times Group Corporation (O/A 1771107 Ontario Inc.), for the design, property acquisition and construction of the 4th lane of Birchmount Road from Highway 7 to Riverside Drive, the intersection of Birchmount Road and Riverside Drive, the installation of street lighting enhancements and the environmental assessments for the Birchmount and Verclaire crossings; and,
- 6) That the Mayor and Clerk be authorized to execute a Development Charge Credit and Reimbursement Agreement, in accordance with the Town's Development Charge Credit and Reimbursement Policy, with Times Group Corporation (O/A 1771107 Ontario Inc.) or their successors in title to the satisfaction of the Treasurer and Town Solicitor; and further,
- 7) That staff be directed to do all things necessary to give effect to this report.

CARRIED

(3) STIVER MILL FARMERS' MARKET REVIEW (5.7)
[Report](#) [Figure 1](#) [Appendix 1](#) [Appendix 2](#) [Appendix 3](#)

- 1) That the staff report titled Stiver Mill Farmers' Market Review, dated June 8, 2011 be received; and,
- 2) That following two successful seasons, the Stiver Mill Farmers' Market be established as an annual event; and,

- 3) That permission be granted to the Unionville Village Conservancy (UVC) by way of an annual Community Event Agreement to use Town of Markham property at the Stiver Mill on Station Lane in Unionville on Sundays from 10 am to 4 pm from June to Thanksgiving, in a form satisfactory to the Chief Administrative Officer and the Town Solicitor; and,
- 4) That the Mayor and Clerk be authorized to sign the Community Event Agreement with the UVC; and,
- 5) That staff work with the UVC, the Markham Village BIA and other stakeholders to promote Markham farmers' markets and the local food agenda; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(c) REPORT NO. 42 - DEVELOPMENT SERVICES COMMITTEE (June 21, 2011)

Moved by Regional Councillor Jim Jones

Seconded by Councillor Don Hamilton

That Report No. 42 – Development Services Committee comprised of 8 items be received and adopted.

- (1) REQUEST FOR DEMOLITION – GARAGE
RECONSTRUCTION – HISTORIC SHED
94 JOHN STREET, THORNHILL
BUILDING PERMIT FILE 11 116033 (10.13, 16.11)
[Report](#)

- 1) That Council endorse the demolition of the garage at 94 John Street and the reconstruction of the historic shed located within the Thornhill Heritage Conservation District; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) DESIGNATED HERITAGE PROPERTY
GRANT APPLICATIONS - 2011 (16.11)
[Report](#)

- 1) That the staff report dated June 21, 2011 entitled “Designated Heritage Property Grant Applications -2011”, be received; and,
- 2) That Designated Heritage Property Grants for 2011 be approved in the amounts noted for the following properties provided that the applicants comply with eligibility requirements of the program:
 - 25 John Street - \$4,516.46 for the replacement of inappropriate modern windows in the existing heritage house as part of a Site Plan application for a new addition;
 - 149 John Street - \$2,000.00 for repairs and repainting of the historic siding, windows, and front door in original historic colours and subject to the applicant obtaining a Heritage Permit;
 - 24 Deanbank Drive- \$2,050.95 for the installation of wooden carriage house type doors to the existing detached 2 car garage, subject to the applicant providing documentary, photographic, or archival evidence of their earlier existence and obtaining a Heritage Permit;
 - 180 Main Street North - \$5,000.00 to tint the historic brick to achieve a consistent colour subject to the owner tinting the new brick of the reconstructed veranda to match the rest of the house, obtaining a Heritage Permit, and Council’s approval for commencing the work prior to receiving Council’s approval for the grant request;
 - 9899 Highway 48 - \$3,333.50 to rebuild the three existing historic chimneys, subject to the applicant obtaining a Building Permit;
 - 8 Peter Street -\$4,935.28 to re-condition the existing historic windows and front door, subject to the applicant obtaining a Heritage Permit;
 - 50 Peter Street- \$960.50 for selective repair and replacement of damaged brick, subject the applicant obtaining a Heritage Permit;
 - 249 Main Street Unionville - \$833.38 to repaint the veranda and balcony in the original historic colours, subject to the applicant obtaining a Heritage Permit;
 - 2665 Bur Oak Avenue - \$5,000.00 for re-conditioning of the historic front wooden windows and exterior doors and the production of new wooden storm windows, subject to the applicant obtaining a Heritage Permit; and,
- 3) That Council agrees to waive the eligibility criteria pertaining to the timing of the work already commenced on 180 Main Street North and the work that must commence as soon as possible at 9899 Hwy. 48 due to safety concerns; and,

- 4) That the grants be funded through the Designated Heritage Property Grant Project Fund, Account # 620-101-5399-11021 (\$30,000.00 available); and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) CEDARDALE MARKHAM INC.
APPLICATION TO AMEND THE
ZONING BY-LAW TO PERMIT A HIGH
DENSITY MIXED USE DEVELOPMENT AND
A SINGLE STOREY RETAIL/COMMERCIAL BUILDING
AT THE SOUTH-EAST CORNER OF HIGHWAY 48
AND CASTLEMORE AVENUE
(ZA 05 006325) (10.5)

[Report](#)

- 1) That the report dated June 21, 2011 and titled "RECOMMENDATION REPORT, Cedardale Markham Inc., Application to amend the Zoning By-law to permit a high density mixed use development and a single storey retail/commercial building at the south-east corner of Highway 48 and Castlemore Avenue, File No: ZA 05 00632," be received; and,
- 2) That the record of the public meeting held on February 2, 2010, regarding the Zoning By-law amendment application be received; and,
- 3) That the application submitted by Cedardale Markham Inc. to amend Zoning By-law 177-96, as amended, be approved subject to holding provisions, related to, among other things, site plan approval, site servicing and servicing allocation, and that the draft By-law attached as Appendix 'A' be finalized and enacted without further notice; and,
- 4) That the Zoning By-law amendment include a provision requiring the Owner to enter into an agreement with the Town regarding a contribution by the Owner with respect to Section 37 of the Planning Act and in accordance with the Town's Official Plan policies regarding Section 37 contributions, prior to the lifting of the holding provision; and,
- 5) That the Mayor and Clerk be authorized to execute a Section 37 agreement with the Owner; and further,

- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2011-172 and 2011-173)

CARRIED

(4) SOUTHEAST COLLECTOR TRUNK SEWER
ENHANCEMENT PLAN – SELECTION OF PROJECTS (5.5)
[Report](#) [Figure 1](#) [Figure 2](#) [Figure 3](#) [Appendix A](#)

- 1) That the report entitled “Southeast Collector Trunk Sewer Enhancement Plan – Selection of Projects” dated June 21, 2011, be received; and,
- 2) That the Southeast Collector Trunk Sewer Enhancement project allocations recommended by the Environmental Issues Committee (EIS) be amended and approved as follows:
 - i) University Entrance Scholarship Funding for York Region School Boards \$200,000
(Approved in principle, for further discussions at EIS)
 - ii) Box Grove Community Centre Parkland Improvements \$400,000
(Approved)
 - iii) Trails Construction in Legacy and Box Grove Communities \$250,000
(Referred back to EIS)
 - iv) Locust Hill School House Stabilization and Exterior Restoration \$120,000
(Referred back to EIS)
 - v) Dimma House On-Site House Relocation \$25,000
(Referred back to EIS)
 - vi) ‘Markham Remembered’ Interpretive Signage \$5,000
(Approved as amended to delete the reference to two signs)
- 3) That Council authorize staff to continue to work with the Regional Municipality of York on finalizing the final budget allocations and to secure the implementation agreements; and,
- 4) That Mayor and Clerk be authorized to execute such agreements as necessary to give effect to this report, to the satisfaction of the Town Solicitor; and,

- 5) That a copy of this report be forwarded to the Regional Municipality of York, York Region District School Board, York Region Catholic District School Board, Toronto Region Conservation Authority and the Rouge Park Alliance for information; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (5) SCARDRED 7 COMPANY LIMITED
4038 HIGHWAY 7 EAST
APPLICATIONS FOR OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS AND SITE PLAN
APPROVAL TO PERMIT ADDITIONAL COMMERCIAL
USES IN TWO EXISTING COMMERCIAL BUILDINGS
AND THE RENOVATION AND EXPANSION OF THE
BUILDINGS (FORMER WHITE ROSE NURSERIES GARDEN
CENTRE AND HEAD OFFICE)

(OP 09 116642, ZA 09 116689 AND SC 10 125396) (10.3, 10.6)

[Report](#) [Appendix A](#) [Appendix B](#) [Appendix C](#) [Appendix D - Figures 1-4](#)

- 1) That the report dated June 21, 2011 titled “RECOMMENDATION REPORT, Scardred 7 Company Limited, 4038 Highway 7, Applications for Official Plan and zoning by-law amendments and site plan approval to permit additional commercial uses in two existing commercial buildings and the renovation and expansion of the buildings (former White Rose Nurseries garden centre and head office), File Nos.: OP 09 116642, ZA 09 116689 and SC 10 125396”, be received; and,
- 2) That the Official Plan amendment and zoning by-law amendment applications be approved, incorporating the modifications, as outlined in the staff report.; and,
- 3) 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 conditions have been met:
 - The Owner has entered into a site plan agreement with the Town and the Region of York containing all standard and special provisions and requirements of the Town and public agencies and the provisions outlined in Appendix “D” to the June 21, 2011 staff report.
 - Official Plan and Zoning By-law Amendment have been approved and have come into force and effect; and further,

- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2011-158 and 2011-159)

CARRIED

(6) BIRCHMOUNT ROAD AND VERCLAIRE GATE
ENVIRONMENTAL ASSESSMENT FOR
ROUGE RIVER BRIDGE CROSSINGS (5.7)
[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the staff report entitled, “Birchmount Road and Verclaire Gate Environmental Assessment for Rouge River Bridge Crossings” be received; and,
- 2) That staff be authorized to finalize the Class EA Study and file it with the MOE in accordance with the Class Environmental Assessment Act; and,
- 3) That staff be authorized to proceed immediately with the detailed design of the Birchmount Road Rouge River bridge crossing, notwithstanding the outstanding MOE approval of the Class EA Study; and,
- 4) That Council authorizes the Mayor and the Clerk to execute development agreement(s) with the Remington Group (Ruland Properties Inc.) and / or Markham Avenue 7 Land Owners Group or any other parties having jurisdiction, in a form satisfactory to the Chief Administrative Officer and the Town Solicitor for the funding and construction of Birchmount Road from Verclaire Gate to the north limits of Remington Group lands; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(7) MARKHAM CENTRE MOBILITY HUB
STATION STUDY (5.14)
[Report](#) [Attach A](#) [Attach B](#) [Attach C](#) [Attach D](#) [Attach E](#)

- 1) That the report entitled “Markham Centre Mobility Hub Station Study” be received; and,
- 2) That the Terms of Reference for the Markham Centre Mobility Hub Station Study be endorsed; and,

- 3) That a \$745,000 allowance for the Mobility Hub Station Study components as outlined in this report be approved; and,
- 4) That the tendering process for Land use and Urban design study component in the amount of \$100,000 from the \$745,000 study allowance be waived in accordance with Purchasing By-Law 2004-341, Part 2, Section 7 Non Competitive Procurement (1)-(h) where it's necessary or in the best interests of the Town to acquire Consulting or Professional Services from a supplier who has a proven track record with the Town in terms of pricing, quality and services and that Adamson Architects be retained; and,
- 5) That the Engineering Department's 2011 Capital Budget account # 640-101-5699-10577 be amended to include an additional \$675,000 for the Markham Centre Mobility Hub Station Study to be funded from the Town Wide Hard Development Charges Reserve; and,
- 6) That staff update Committee as required on the progress of the Markham Centre Mobility Hub Study; and further,
- 7) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(8) PUBLIC SPACE RECYCLING
HERITAGE BIG BELLY PILOT PROJECT UPDATE (5.1)
[Memo](#)

- 1) That the Memo entitled "Public Space Recycling – Heritage Big Belly Pilot Project Update" be approved; and
- 2) That the request of the Markham BIA to skin the heritage Big Bellys in black for Markham Main Street Heritage District be approved; and,
- 3) That the black traditional waste container as presented at the May 30, 2011 General Committee meeting be approved for placement on Unionville and Markham Main Streets; and further,
- 4) That when funding is available, Big Belly Recyclers be provided in Thornhill, in locations and colours as determined by the community.

CARRIED

**6(d) REPORT NO. 43 - DEVELOPMENT SERVICES PUBLIC MEETING
(June 21, 2011)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 43 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) LASSETER DEVELOPMENTS INC.
BLOCKS 1-18 AND 33-36, DRAFT PLAN 19TM-09001
BERCZY VILLAGE
ZONING BY-LAW AMENDMENT APPLICATION
TO AMEND MINIMUM LOT FRONTAGE AND
MAXIMUM HEIGHT STANDARDS SOUTHWEST CORNER OF
MAJOR MACKENZIE DRIVE AND MCCOWAN ROAD (ZA 11 115270) (10.5)
[Report](#) [Attachments](#)

- 1) That the report entitled “Preliminary Report, Lasseter Developments Inc., Blocks 1-18 and 33-36, Draft Plan 19TM-09001, Berczy Village, Zoning By-law Amendment Application to amend minimum lot frontage and maximum height standards, Southwest corner of Major Mackenzie Drive and McCowan Road, File No.: ZA 11 115270”, dated May 31, 2011 be received; and,
- 2) That the Record of the Public Meeting held on June 21, 2011, with respect to the proposed amendment to Zoning By-law 177-96, as amended, be received; and,
- 3) That the application by Lasseter Developments Inc. to amend Zoning By-law 177-96, as amended, be approved; and,
- 4) That the proposed amendment to Zoning By-law 177-96, as amended, be finalized and enacted without further notice; and further,
- 5) That staff continue to work with the applicant with respect to conditions for fencing and landscaping adjacent to lands to the south, and with respect to maintenance of the front yards.

(By-law 2011-179)

6(e) REPORT NO. 44 - GENERAL COMMITTEE (June 27, 2011)

Council consented to add Report No. 44.

Moved by Councillor Carolina Moretti

Seconded by Councillor Logan Kanapathi

(1) AWARD OF PROPOSAL 009-R-11 SUPPLY
& INSTALL TELEPHONE SYSTEM, UNIFIED
MESSAGING & CALL CENTRE SOFTWARE (7.12)
[Report](#)

- 1) That the report entitled “Award of Proposal 009-R-11 Supply and Install Telephone System, Unified Messaging & Call Centre Software” be received; and,
- 2) That the contract for Supply and Install Telephone System, Unified Messaging & Call Centre Software from Proposal 009-R-11 be awarded subject to a signed detailed statement of work agreement, in a form satisfactory to the Commissioner of Corporate Services to the highest ranked bidder, Unity Telecom Corp., in the amount of \$1,143,018 (inclusive of HST impact); and,
- 3) That the hardware, software and labour cost for 009-R-11 be funded from account #049-5350-10077-005 (Core Phone System Phase#1) in the amount of \$399,000 and account #049-5350-11118-005 (Core Phone System Phase#2) in amount of \$205,600 with a total of \$604,600 (inclusive of HST impact); and,
- 4) That the warranty, support and maintenance fees for the telephone system in the amount of \$453,997 (inclusive of HST impact) over a five year term be funded from existing various departmental telecom operating budget (to be consolidated under ITS budget); and,
- 5) That the funding shortfall of \$84,421 be addressed in the 2012 capital budget process; and,
- 6) That Unity Telecom Corp. be designated as the preferred vendor for Town’s telephony service needs and for Avaya Hardware and software product for the term of this contract; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) PUBLIC REALM STATUS REPORT (5.6)

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

- 1) That the Public Realm Status Report be received; and,
- 2) That the Public Realm Advisory Committee be formed, comprised of Deputy Mayor Heath, Councillors Burke, Chiu and Kanapathi as approved at the April 5th 2011 Council meeting and including, two (2) members of the public with appropriate experience; and,
- 3) That the Public Realm Advisory Committee Terms of Reference be approved as attached as Appendix “A”; and,
- 4) That the Public Realm staff working team will continue to work on the demonstration projects and develop and advise on the Public Realm Strategy and Guidelines; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) INSTALLATION OF ARTIFICIAL TURF FIELD AT
MOUNT JOY COMMUNITY CENTRE (6.4)

[Report](#)

- 1) That the report entitled “Installation of Artificial Turf Field at Mount Joy Community Centre” be received; and,
- 2) That an artificial turf field, as approved in the 2011 Capital Budget, be constructed at Mount Joy Community Centre, over the existing natural turf field; and,
- 3) That the tendering process be waived in accordance with Purchasing By-Law 2003-351, Part II, Section 1(h), Non Competitive Procurement, where it necessary or in the best interests of the Town to acquire non standard or Consulting and Professional Items from a preferred supplier or from a supplier who has a proven track record with the Town in terms of pricing, quality, and service - for design and external project management to be awarded to Baker Turner Inc who successfully designed and project managed the Saint Roberts Artificial Turf Field; and,

- 4) That if Council supports the installation of a grade beam during the initial construction of the artificial turf for consideration to install an air supported structure in the future that additional funding in the amount of \$130,000 be allocated to this project; and,
- 5) That the additional funding requirement of \$130,000 will be funded from the pre-approval of the 2012 Operating Non-Life Cycle funded Capital Budget; and,
- 6) That any lighting replacements and enhancements required be funded out of the 2012 Capital Lifecycle Program; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(f) REPORT NO. 45 - DEVELOPMENT SERVICES COMMITTEE (June 28, 2011)

Council consented to add Report No. 45.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 45 – Development Services Committee comprised of 10 items be received and adopted.

(1) **MILLIKEN MILLS SUB-COMMITTEE MINUTES**
- JUNE 8, 2011 (10.0)
[Minutes](#)

- 1) That the minutes of the Milliken Mills Sub-Committee meeting held June 8, 2011, be received for information purposes; and
- 2) That the relocation of the Roger's Cell Tower from Brimley Road and 14th Avenue, to an alternate property be approved in principle; and further,
- 3) That authority for the necessary approvals regarding relocation of the Cell Tower, be delegated to the Commissioner of Development Services.

CARRIED

(2) REQUEST FOR DEMOLITION - DWELLING
10 ROUGE STREET, MARKHAM VILLAGE
DEMOLITION PERMIT #11 113572 (10.13)

[Report](#)

- 1) That Council endorse the demolition of the dwelling at 10 Rouge Street located within the Markham Village Heritage Conservation District subject to the following condition:
 - The applicant obtain site plan approval for a replacement dwelling that generally complies with the Markham Village Heritage Conservation District Plan, and is of a scale and massing compatible to the neighbourhood, prior to the issuance of the demolition permit; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) REQUEST TO RELOCATE
TWO HERITAGE DWELLINGS WITHIN
ANGUS GLEN WEST VILLAGE
198 ANGUS GLEN BLVD AND
4073 MAJOR MACKENZIE DRIVE (16.11)

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

- 1) That the staff report entitled “Request to relocate two Heritage dwellings within Angus Glen West Village, 198 Angus Glen Blvd and 4073 Major Mackenzie Drive”, dated June 28, 2011, be received; and,
- 2) That due to the exceptional circumstances resulting from the grading of Angus Glen Boulevard, Council has no objection to the relocation of the Eleanor Lynn Casely House located on Lot 67, 65M-4085 to Lot 5, 65M-4241 located at the southwest corner of Angus Glen Boulevard and Major Mackenzie Drive; and,
- 3) That the Eleanor Lynn Casely House located on Lot 67, 65M-4085 shall not be relocated to Lot 5, 65M-4241 until a site plan agreement has been registered for Lot 5 and securities have been posted in the amount of \$100,000; and,
- 4) The Letter of Credit in the amount of \$25,000 secured through the subdivision agreement (65M-4085) will not be released until a site plan agreement has been registered for Lot 5, 65M-4241 and the heritage house has been successfully relocated; and,

- 5) That Council has no objection to the relocation of the Stiver Tenant Cottage straddling Lots 7 and 8, 19TM-03004 (Phase 2) to the same lot as the designated Francis Stiver Farmhouse (Lot 1, 19TM-03004, Phase 2); and,
- 6) That both buildings (Eleanor Lynn Casely House and the Stiver Tenant Cottage) be designated under the Ontario Heritage Act on their new sites and that heritage easement agreements be secured; and,
- 7) That as a condition of draft plan approval, the Owner be required to obtain site plan approval and register a site plan agreement for the two heritage houses (Stiver Tenant Cottage and Francis Stiver Farmhouse) proposed on Lot 1, 19TM-03004, Phase 2 and post sufficient securities; and further,
- 8) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (4) CORNERSTONE CHRISTIAN COMMUNITY CHURCH INC.
SITE PLAN APPLICATION AND ZONING AMENDMENT
TO PERMIT PLACE OF WORSHIP/COMMUNITY CENTRE
AT 9642 9TH LINE
(SC 09 129156 & ZA 09 129155) (10.6 and 10.5)
[Report](#) [Attachment](#)

- 1) That the staff report entitled 'RECOMMENDATION REPORT', Cornerstone Christian Community Church Inc., Site Plan Application and Zoning Amendment to permit a place of worship/community centre at 9642 9th Line, be received; and,
- 2) That a Public Meeting be held to consider a revision to the Zoning By-law Amendment application (ZA 09-129155) submitted by Cornerstone Christian Community Church Inc., to add adjacent lands currently owned by the Region of York, for parking purposes for the church site, in the event that the Region agrees to the conveyance of these lands to the church; and,
- 3)
 - i) That, in the event the church does acquire adjacent lands from the Region of York the request to rezone the subject lands from A1- Agricultural One under By-law 304-87 to an appropriate Institutional Zone in By-law 177-96 as amended, be endorsed in principle and that an amending By-law for the lands currently owned by the church be finalized and enacted following a supplementary Public Meeting for the purpose of including adjacent lands owned by the Region of York; or alternatively,
 - ii) That, in the event the church does not acquire the adjacent lands owned by the Region of York, that the proposed amendment to the Town's Zoning By-law 177-96, as amended, be enacted without further notice; and,

- 4) That the Site Plan Application (File No. SC 09-129156) submitted by Cornerstone Christian Community Church Inc. for the lands at 9642 9th Line, be endorsed in principle, subject to the conditions attached as Appendix 'C'; and,
- 5) That site plan approval be delegated to the Director of Planning and Urban Design or his designate, to be issued following execution of a site plan agreement. Site Plan Approval is issued only when the Director or designate has signed the plan; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (5) APPLICATION FOR SITE PLAN CONTROL APPROVAL
RULAND PROPERTIES INC. (THE REMINGTON GROUP)
PHASE 2 RETAIL PROGRAMME
NORTH EAST QUADRANT OF ENTERPRISE BOULEVARD
AND BIRCHMOUNT ROAD
MARKHAM CENTRE (SC 11 117165) (10.6)
[Report](#) [Attachments](#)

- 1) That the Recommendation Report titled “Application for Site Plan Control Approval Ruland Properties Inc.(The Remington Group) – Phase 2 Retail Programme” be received; and,
- 2) That the application for Site Plan Control Approval by Ruland Properties Inc. for the proposed phase 2 retail buildings be endorsed in principle, subject to the conditions attached as Appendix A; and,
- 3) That Site Plan Control Approval be delegated to the Director of Planning and Urban Design or designate, to be issued following execution of a Site Plan Agreement. Site Plan Control Approval is issued only when the Director or designate has signed the site plan; and,
- 4) That Council grant servicing allocation for the 224 residential units within this project, subject to the Owner providing a release from the Trustee for the Markham Centre Landowners Group confirming and assigning available servicing allocation, and confirming that the applicant has met their financial obligations to the Group with respect to these lands; and,

- 5) That Council authorize the enactment of a by-law to remove the Hold (H) provisions on the subject lands upon execution of the Site Plan Agreement to the satisfaction of the Commissioner of Development Services and the Town Solicitor; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (6) UP-DATE ON COMMUNITY CONSULTATION
HUGHSON DRIVE STUDY AREA [HUGHSON DRIVE
LUNAR CRESCENT, ANKARA COURT, POLARIS DRIVE
AND ATHENS DRIVE (WEST END)
(SD 10 110091) (10.0)
[Report](#) [Attachment](#)

- 1) That the Staff report dated June 28, 2011 entitled “INFORMATION REPORT, Update on Community Consultation, Hughson Drive Study Area [Hughson Drive, Lunar Crescent, Ankara Court, Polaris Drive and Athens Drive (west end) (SD 10 110091)],” be received; and,
- 2) That the record of the Community Meeting held by the local Councillor on May 30, 2011, to obtain further input from area residents, be received; and,
- 3) That the Draft Zoning By-law amendments, attached as Appendix ‘B’, to implement the recommendations of the Land Use Planning Report prepared by Meridian Planning Consultants, be received; and,
- 4) That a Unionville Sub-committee Working Group be established, consisting of the Unionville Sub-Committee, staff, and area property owners, to consider appropriate zoning standards for the area; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(See following to bring the matter forward)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Carolina Moretti

That Council consider the proposed motion regarding Hughson Drive Study Area immediately following the delegations with respect thereto.

CARRIED

- (7) CESARONI HOLDINGS LTD.
10761 WOODBINE AVENUE
LOTS 2, 3 AND 4, REGISTERED PLAN 501
NORTH OF ELGIN MILLS ROAD IN VICTORIA SQUARE
APPLICATION FOR A DEEMING BY-LAW
(DY 11 119623) (10.0)
[Report](#) [Attachment](#)

- 1) That Council enact the By-law attached as Appendix “A” to deem Lots 2, 3 and 4, Registered Plan 501, not to be part of a registered plan of subdivision; and,
- 2) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2011-178)

CARRIED

- (8) UPDATE REPORT
GEMCROSS DEVELOPMENTS
(CONSTRADA AGGREGATE RECYCLING FACILITY)
350 RODICK ROAD
(ZA 08 119862) (10.0)
[Report](#) [Appendix A](#) [Appendix B](#) [Appendix C](#) [Appendix D](#)

- 1) That the staff report dated June 28, 2011 entitled “Update Report, Gemcross Developments, (Constrada Aggregate Recycling Facility), 350 Rodick Road;” be received; and,
- 2) That the temporary zoning amendment application by Gemcross Developments (Constrada Aggregate Recycling Facility) to permit the existing aggregate recycling facility at 350 Rodick Road for an additional three years, be denied for the reasons outlined in the staff reports dated June 2, 2009 and June 28, 2011; and,
- 3) That staff be directed to negotiate terms with the applicant regarding an exit date no later than December 31, 2012, and report back to Development Services Committee in the Fall; and further,

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

CARRIED BY A UNANIMOUS RECORDED VOTE

(See following recorded vote) (13:0)

(See following to bring the matter forward)

YEAS: 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. (13:0)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Carolina Moretti

That Council consider the matter regarding Gemcross Developments, (Constrada Aggregate Recycling Facility), 350 Rodick Road, immediately following the delegations with respect thereto.

CARRIED

- (9) LIBERTY DEVELOPMENT CORPORATION
(WORLD ON YONGE) 7161 & 7171 YONGE STREET
REGARDING NO-PRESALE AGREEMENT AND CONDITIONS
OF RELEASE OF PHASE 2 RESIDENTIAL UNITS (10.0)

[Memo](#)

- 1) That the memorandum entitled “Request by Liberty Development Corp. to lift the residential No Pre-sale Agreement on Phase 2 of World on Yonge, 7161 and 7171 Yonge Street”, be received; and,
- 2) That the Mayor and Clerk be authorized to execute an amendment to the Site Plan Agreement between Liberty Development Corp and the Town of Markham applying to 7161 and 7171 Yonge Street (World on Yonge) dated January 24, 2011 as follows:
 - To incorporate clauses addressing the transportation mitigation measures set out in Appendix A to this memo;
 - That the owner post securities, to the satisfaction of the Director of Engineering, relating to the implementation of these measures;
 - To work with the Grandview Area Residents Association and the community to incorporate measures to reduce infiltration and speeding in the area; and

- 3) That the Mayor and Clerk be authorized to execute an amendment to the No Pre-sale Agreement between Liberty Development Corporation and the Town of Markham, applying to the Phase 2 portion of the development to prohibit only the sale of units with an Outside Occupancy Date later than December 31, 2016; and,
- 4) That the amendment to the Site Plan Agreement be executed in advance of, or concurrently with, the amendment to the No Pre-sale Agreement; and further,
- 5) That staff be authorized to do all things necessary to give effect to this resolution.

CARRIED

(10) **MARKHAM SPONSORSHIP
TOUR DE GREENBELT (7.6)**

- 1) That the Town of Markham donate \$1,000 towards “Tour de Greenbelt”, a Rouge Park event to be held September 17, 2011.

CARRIED

7. MOTIONS

There were no motions considered by Council.

8. NOTICES OF MOTIONS

There were no notices of motions considered by Council.

9. COMMUNICATIONS

Council consented to add Communication Nos. 2011-60 and 2011-61.

Moved by Councillor Carolina Moretti

Seconded by Councillor Howard Shore

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

Referred to all Members of Council

51-2011 ANGUS GLEN HALF MARATHON FOR MARKHAM STOUFFVILLE
HOSPITAL ROAD CLOSURE REQUEST (3.5)

[Info](#)

The following roads will be closed on November 6, 2011 from 8:30 a.m. to 12:30 p.m.:

- Start line is at Angus Glen Golf Course
- South on Kennedy Road to Major MacKenzie
- West on Major MacKenzie to Prospector's Drive
- South on Prospector's Drive to The Fairways
- West on The Fairways and south onto Royal Troon Crescent
- Royal Troon Crescent onto Angus Glen Blvd
- East on Angus Glen Blvd to Potters Wheel Road
- North on Potters Wheel Road to Port Rush Trail
- East on Port Rush Trail to Angus Meadow Drive
- South on Angus Meadow Drive to Angus Glen Blvd
- East on Angus Glen Blvd to Kennedy Road
- South on Kennedy Road to just north of 16th Avenue
- Runners make a u-turn and go north on Kennedy Road to Elgin Mills Road East
- East on Elgin Mills Road to McCowan Road
- North on McCowan Road to 19th Avenue
- West on 19th Avenue to Warden Avenue
- South on Warden Avenue to Elgin Mills Road East
- East on Elgin Mills Road East to Kennedy Road
- South on Kennedy Road to Angus Glen Golf Course

CARRIED

52-2011 THORNHILL VILLAGE FESTIVAL AND PARADE ROAD CLOSURE REQUEST (3.5.3)

[Info](#)

The following roads will be closed on September 17, 2011 from 9:30 a.m. to 4:30 p.m.:

- Church Lane from John St beyond Colborne St.
- Colborne Street from Yonge St. to Church Lane
- Eliza St from Colborne St. to end of street
- Thornhill Summit Drive from Yonge St to Robert West Lane
- Yonge Street between John St & Royal Orchard Blvd
- The following roads are closed from 10:30 am to noon to facilitate the parade:
 - John St from Henderson Ave to Yonge St
 - Elgin Ave from Dudley Ave to Yonge St
 - Dudley Ave from Clark Ave East to Elgin Ave
 - Dudley Ave & travel north on Yonge St into the festival zone with dispersal along Arnold Ave
 - Yonge St between Clarke Ave & John St.

CARRIED

53-2011 MARKHAM GIRO – BICYCLE RACE ROAD CLOSURE REQUEST (3.5)

[Info](#)

The following roads will be closed on August 7, 2011 from 8:30 a.m. to 1:30 p.m.

- Cochrane Drive from Highway 7
- East Valhalla Drive from Cochrane Drive to Highway 7.

CARRIED

54-2011 MARKHAM AUTO CLASSIC ROAD CLOSURE REQUEST (3.5)

[Info](#)

The following roads will be closed on September 11, 2011 from 7:00 a.m. to 6:00 p.m.

- Main Street Markham north from Hwy 7 to Bullock Dr/Parkway & Robinson St from Water Street to Washington Street
- Main Street Markham North from Hwy 7 to south of Parkway Ave
- Access east from Main Street Markham is closed to
 - a) Centre Street
 - b) Robinson Street
- Access west to Main Street Markham is closed to
 - a) Dublin Street
 - b) Robinson Street
 - c) Wilson Street

CARRIED

55-2011 UNIONVILLE BIA – MARKHAM JAZZ FESTIVAL ROAD CLOSURE REQUEST (3.5)

[Info](#)

The following roads will be closed on August 19 and 20, 2011 from 6:00 p.m. to 11:30 p.m.

- Main Street Unionville from the south side of Carlton to the north side of Station Lane
- Fred Varley Drive @ Main Street Unionville
- Main Street Bypass / Backlane @ Main Street Unionville
- Victoria Ave@ Main Street Unionville

CARRIED

56-2011 MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES REGARDING HOLD REMOVAL BY-LAW - JADE KENNEDY DEVELOPMENT CORPORATION (SOUTH UNIONVILLE SQUARE)

[Memo](#)

- Providing an update with respect to the Hold Removal By-law for the subject property. (10.5)
- (By-law 2011-160)

CARRIED

57-2011 MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES REGARDING HOLD REMOVAL BY-LAW - TIMES GROUP INC., SOUTH OF HIGHWAY 7, WEST OF VILLAGE PARKWAY

[Memo](#)

- Providing an update with respect to the Hold Removal By-law for the subject property. (10.5)
- (By-law 2011-161)

CARRIED

58-2011 MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES REGARDING HOLD REMOVAL BY-LAW – 2148098 ONTARIO LIMITED, 83 OLD KENNEDY ROAD

[Memo](#)

- Providing an update with respect to the Hold Removal By-law for the subject property. (10.5)
- (By-law 2011-162)

CARRIED

- 59-2011 MEMORANDUM FROM THE COMMISSIONER OF DEVELOPMENT SERVICES REGARDING HOLD REMOVAL BY-LAW – RULAND PROPERTIES INC., 169 AND 179 ENTERPRISE BOULEVARD

[Memo](#)

- Providing an update with respect to the Hold Removal By-law for the subject property. (10.5)
(By-law 2011-163)

CARRIED

- 60-2011 UNIONVILLE CELTIC FESTIVAL ROAD CLOSURE REQUEST (3.5)

[Info](#)

The following roads will be closed on July 9 & 20, 2011 from 10:30 a.m. to 7:00 p.m.:

- Main Street Unionville from the south side of Carlton to the north side of Station Lane
- Fred Varley Drive @ Main Street Unionville
- Main Street Bypass/Backlane @ Main Street Unionville
- Victoria Ave @ Main Street Unionville

CARRIED

Referred to Commissioner of Development Services

- 61-2011 COMMUNICATION DATED JUNE 28, 2011 FROM COLIN PADGETT
- Providing comments regarding the matter titled “Hughson Drive Study Area [Hughson Drive, Lunar Crescent, Ankara Court, Polaris Drive and Athens Drive (west end)]. (10.0)

(Item No. 6, Report No. 45)

Page 194

CARRIED

10. PROCLAMATIONS**(1) APPROVED PROCLAMATION - FOR INFORMATION (3.4)**[Info](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Alan Ho

- 1) That the following proclamation issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
 - International Day Against Drug Abuse and Illicit Trafficking (June 25, 2011).

CARRIED

11. NEW/OTHER BUSINESSES

Council consented to add New/Other Businesses Item No. 3 to 6.

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

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

NOTICES OF PROPOSED SALE

TOWN OF MARKHAM

PROPOSED SALE OF SURPLUS REAL PROPERTY

(Pursuant to By-law 178-96)

- 1) That the notice of the proposed sale for the Town own lands legally described as former road allowance between Lots 10 and 11, Concession 3, be received; and that this legal description be revised to read as “former road allowance between Lots 10 and 11, Concession 9”; and,

- 3) That 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 published in the Markham Economist and Sun and in the September 20, 2011 Council Agenda.
(Council In-camera Item 4)

CARRIED AS AMENDED BY A RECORDED VOTE

(See following recorded vote) (10:3)

- YEAS: Mayor Frank Scarpitti, Regional Councillor Jim Jones, Regional Councillor Gord Landon, Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Carolina Moretti, Councillor Colin Campbell, Councillor Logan Kanapathi, Councillor Alex Chiu. (10)
- NAYS: Deputy Mayor Jack Heath, Regional Councillor Joe Li, Councillor Alan Ho. (3)

- (2) AWARD OF TENDER # 052-T-11 REHABILITATION
OF REESOR ROAD BRIDGE (B13) BETWEEN
STEELES AVENUE EAST AND 14TH AVENUE (7.12.2)
[Memo](#) [Report](#) [Attachment A](#) [Attachment B](#)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Logan Kanapathi

- 1) That the report entitled “Award of Tender # 052-T-11, Rehabilitation of Reesor Road Bridge (B13) between Steeles Avenue East and 14th Avenue” be received; and,
- 2) That the memorandum dated June 28, 2011 from the Director of Engineering providing an update on the options and cost implications for provision of a wildlife corridor and a wider sidewalk be received;
- 3) That the contract for Tender # 052-T-11, Rehabilitation of Reesor Road Bridge (B13) between Steeles Avenue East and 14th Avenue be awarded to the lowest priced, qualified bidder, Anscon Contracting Inc., in the amount of \$400,916.35 inclusive of HST; and,
- 4) That a separate purchase order in the amount of \$40,092.00 inclusive of HST, be issued for contingency to cover any additional construction fees 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,

- 5) That staff be authorized to retain a qualified geotechnical consulting firm – Coffey Geotechnics in accordance with the Town’s purchasing By law to provide geotechnical and materials testing services during construction with an upset limit of \$11,000.00 inclusive of HST; and,
- 6) That a separate purchase order in the upset amount of \$6,000.00 inclusive of HST be issued to Aquafor Beech Limited to provide fish management program work during construction as requested by TRCA for the bridge construction permission; and,
- 7) That the Engineering Department apply a Project Management Fee in the amount of \$41,220.75 inclusive of HST; and,
- 8) That the awards and fees listed in recommendations 2-6 be funded from the Bridge Improvement – Reesor S of 14th project (# 058-6150-8461-005), in the amount of \$240,349.56; and the Bridge Improvement – Reesor Road (B13) project (#058-6150-11340-005), in the amount of \$258,879.54; and,
- 9) That Council authorize the through versus local road closure of Reesor Road between Steeles Avenue East and 14th Avenue from July to October in 2011; and,
- 10) That upon payment of all invoices, any remaining funds in account 58-6150-8461-005 and 58-6150-11340-005 be returned to the original funding source; and further,
- 11) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) DECLARATION OF SURPLUS REAL PROPERTY
PARTS 2, 3 AND 6, PLAN 65R-32854,
BEING LANDS NEAR THE 16TH AVENUE AND
REESOR ROAD INTERSECTION (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 the proposed sale for the Town own lands legally described as Parts 2, 3 and 6, Plan 65R-32854, being lands near the 16th Avenue and Reesor Road intersection, be confirmed.

(In-camera Item No. 5)

CARRIED

- (4) YORK REGIONAL POLICE CONSTABLE GARRETT STYLES (12.2.6)

Mayor Frank Scarpitti spoke about the tragic death of York Regional Police Constable Garrett Styles while on active duty. He noted that Constable Garrett Styles, age 32, joined the York Regional Police as a cadet in 2003, becoming a Constable in May 2004. Through his seven years on the force, he served all the people of York Region with distinction, first in Richmond Hill, and most recently in Newmarket, Aurora and East Gwillimbury.

Mayor Frank Scarpitti, on behalf of Members of Council, offered sincerest condolence to the family of Constable Styles, especially his wife Melissa, a civilian employee of the force, his two small children, and his parents, including Garrett's father, a retired York Region Police Staff Sergeant. Members of Council observed a moment of silence in memory of Constable Garrett Styles.

- (5) RECOGNITION OF GERHARD SCHICKEDANZ (12.2.6)

Mayor Frank Scarpitti spoke about the recent passing of Gerhard Schickedanz and recognized him for his passion and his contribution to the Town of Markham. Mayor Frank Scarpitti, on behalf of Members of Council, offered sincerest condolence to the family of Mr. Schickedanz.

(6) MARKHAM DISTRICT HIGH SCHOOL RUNNING TRACK (13.6)

Moved by Councillor Colin Campbell

Seconded by Deputy Mayor Jack Heath

- 1) That the Town of Markham Council send a letter to the Chair and all local Trustees of the York Region District School Board urging the Board to reject the recommendation of the Property Management Committee to not replace the track at the Markham District High School; and,
- 2) That the Board be apprised of an available contribution of \$50,000 from the Frank Scarpitti Charitable Foundation for the replacement of the track at Markham District High School; and further,
- 3) That Local Councillors support the community initiatives to assist in fundraising further contributions to be used towards the replacement of the track at Markham District High School.

CARRIED

(See following to consider the matter)

Moved by Councillor Colin Campbell

Seconded by Regional Councillor Gord Landon

That Council consider the motion regarding the Markham District High School running track.

CARRIED

(2/3 Vote was requested & obtained)

12. BY-LAWS

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

That By-laws 2011-132 to 2011-165 and By-laws 2011-167 to 2011-179 be given three readings and enacted.

Three Readings

BY-LAW 2011-132 ROAD DEDICATION BY-LAW, OXNARD, BOXGROVE LTD., 65M-3970, PART OF LOTS 4 AND 5, CONCESSION 9
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Kentview Crescent and Markham By-Pass).

(Item No. 1, Report No. 40)

[By-law](#)

CARRIED

BY-LAW 2011-133 ROAD DEDICATION BY-LAW, OXNARD, BOXGROVE LTD., 65M-4032, PART OF LOTS 4 AND 5, CONCESSION 9
- A by-law to establish streets out according to the subject Plan of Subdivision as public highway (Sellwood Lane).

(Item No. 1, Report No. 40)

[By-law](#)

CARRIED

BY-LAW 2011-134 ROAD DEDICATION BY-LAW, WINTER GREEN ESTATES LTD., 65M-3976, PART OF LOTS 3, 4 AND 5, CONCESSION 9
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Berger Avenue, Bewell Drive, Coakwell Drive, Duckett Avenue, Kentwood Crescent, Newfields Drive, Sanders Drive, Starmount Avenue, Terrance Drive).

(Item No. 1, Report No. 40)

[By-law](#)

CARRIED

BY-LAW 2011-135 ROAD DEDICATION BY-LAW, M. MIDGET INC., 65M-3876, LOT 8 IN BLOCK E, REGISTERED PLAN 19, AND PART LOTS 6 AND 7, CONCESSION 9
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Rouge Bank Drive).

(Item No. 1, Report No. 40)

[By-law](#)

CARRIED

- BY-LAW 2011-136 ROAD DEDICATION BY-LAW, FOREST BAY HOMES LTD., 65M-3571, PART OF LOT 1, CONCESSION 8.
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Ferncliffe Crescent).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-137 ROAD DEDICATION BY-LAW, FOREST BAY HOMES LTD., 65M-3616, PART OF LOTS 1 TO 3, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Eastvale Drive and Elson Street).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-138 ROAD DEDICATION BY-LAW, FOREST BAY HOMES LTD., 65M-3669, PART OF LOTS 1 AND 2, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Eastvale Drive, Tara Crescent and Monique Court).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-139 ROAD DEDICATION BY-LAW, BOX GROVE NORTH INC. AND BOX GROVE HILL DEVELOPMENTS INC., 65M-4008, PART OF LOT 7 AND PART OF E1/2 OF W1/2 OF LOT 8, PART OF THE S1/2 OF E/12 OF LOT 8 AND PART OF THE NE1/4 LOT 8, CONCESSION 9
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Smoothwater Terrace, Copper Creek Drive, Geddington Crescent, Boswell Road, Wickson Street, Rizal Avenue, Larkspur Drive, Rennie Avenue)
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-140 ROAD DEDICATION BY-LAW, PAM-GREY HOLDINGS INC., 65M-3813, PART OF LOT 19, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Castlemore Avenue)
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**

- BY-LAW 2011-141 ROAD DEDICATION BY-LAW, PAM-GREY HOLDINGS INC., 65M-3814, Part of Lots 18 and 19, Concession 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Castlemore Avenue, Cathmar Drive, Gracewell Road, Harry Blaylock Drive and Saltspring Drive).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-142 ROAD DEDICATION BY-LAW, PAM-GREY HOLDINGS INC., 65M-3874, PART OF LOTS 18 AND 19, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Neeley Road, Pamgrey Road, Stalmaster Road and Swan Park Road).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-143 ROAD DEDICATION BY-LAW, PAM-GREY HOLDINGS INC., 65M-4027, PART OF LOTS 18 AND 19, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Anjac Crescent).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-144 ROAD DEDICATION BY-LAW, PAM-GREY HOLDINGS INC., 65M-4003, BLOCK 2, PLAN 65M-3698 AND BLOCK 345, PLAN 65M-3697 AND PART OF LOT 18, CONCESSION 8
- A by-law to establish streets laid out according to the subject Plan of Subdivision as public highway (Maybole Road, Outerbrook Road and Peterkin Road).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-145 TRAFFIC BY-LAW 106-71 AMENDMENT – COMPULSORY STOPS
- A by-law to include compulsory stops (65M-3970, 65M-4032, 65M-3976, 65M-3876 – BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 AND 65M-4003).
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**

- BY-LAW 2011-146 SPEED BY-LAW 105-71 AMENDMENT – A BY-LAW TO INCLUDE A MAXIMUM SPEED OF 40 KILOMETERS PER HOUR
(65M-3970, 65M-4032, 65M-3976, 65M-3876-BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 AND 65M-4003)
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-147 SPEED BY-LAW 105-71 AMENDMENT – A BY-LAW TO INCLUDE 50 KILOMETERS PER HOUR
(65M-3970, 65M-4032, 65M-3976, 65M-3876-BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 AND 65M-4003)
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-148 PARKING BY-LAW 2005-188 AMENDMENT – A BY-LAW TO INCLUDE PROHIBITED PARKING
(65M-3970, 65M-4032, 65M-3976, 65M-3876-BLK 4, 65M-3571, 65M-3616, 65M-3669, 65M-4008, 65M-3813, 65M-3814, 65M-3874, 65M-4027 AND 65M-4003)
(Item No. 1, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-149 BUTTONVILLE HERITAGE CONSERVATION DISTRICT DESIGNATION BY-LAW
- A by-law to designate an area of the Town of Markham as a Heritage Conservation District.
(Item No. 2, Report No. 40)
[By-law](#) **CARRIED**
- BY-LAW 2011-150 FEE BY-LAW 2002-276 AMENDMENT - RECREATION FEES
- A by-law to amend Fee by-law 2002-276, a by-law to impose fees or charges for services or activities provided or done by the Town of Markham (Consumer Price Index Increase)
[By-law](#) **CARRIED**

- BY-LAW 2011-151 ROAD DEDICATION BY-LAW – SOUTH UNIONVILLE AVENUE
- A by-law to dedicate Part of Lot 2, Plan 2196, designated as Parts 2, 3, 5, 6, 7, 10, 11 and 12, Plan 65R-27668 as part of the highways of the Town of Markham.
[By-law](#) **CARRIED**
- BY-LAW 2011-152 ROAD DEDICATION BY-LAW – ELGIN STREET
- A by-law to dedicate Part of Lot 11, north of Elgin Street, Plan 8, designated as Part 2, Plan 65R-23896 as part of the highways of the Town of Markham.
[By-law](#) **CARRIED**
- BY-LAW 2011-153 ROAD DEDICATION BY-LAW – CASTAN AVENUE
- A by-law to dedicate Part of Lot 5, Plan 2196, designated as Part 20, Plan 65R-18880 as part of the highways of the Town of Markham.
[By-law](#) **CARRIED**
- BY-LAW 2011-154 PART LOT CONTROL EXEMPTION BY-LAW, WOODBINE MACKENZIE DEVELOPMENTS INC.
- A by-law to exempt Block 140, 65M-3670 and Block 102, 65M-3763 from the Part Lot Control Provisions of the *Ontario Planning Act*, east of Cathedral Community, north of Major MacKenzie Drive and east of Woodbine Avenue.
[By-law](#) **CARRIED**
- BY-LAW 2011-155 PART LOT CONTROL EXEMPTION BY-LAW, ARISTA HOMES (BOX GROVE) INC.
- A by-law to exempt Lots 120, 121, 122, 126, 127, 128, 129, 130, 131, 132, 140, 143 and 144, Plan 65M-4161 from the Part Lot Control Provisions of the *Ontario Planning Act*, south of Copper Creek Drive and west of Donald Cousens Parkway.
[By-law](#) **CARRIED**
- BY-LAW 2011-156 PART LOT CONTROL EXEMPTION BY-LAW, RULAND PROPERTIES INC.
- A by-law to exempt Blocks 1 to 9 inclusive, 11 to 13 inclusive, 15 to 18 inclusive and 25 to 28 inclusive, Plan 65M-4060, from the Part Lot Control Provisions of the *Ontario Planning Act*, south of Copper Creek Drive and west of Donald Cousens Parkway.
[By-law](#) **CARRIED**

- BY-LAW 2011-157 PART LOT CONTROL EXEMPTION BY-LAW, 1039954 ONTARIO LIMITED
- A by-law to exempt Lots 2, 3, 16 and 17, 65M-4231, from the Part Lot Control Provisions of the *Ontario Planning Act*, south of Copper Creek Drive and west of Donald Cousens Parkway.
[By-law](#) **CARRIED**
- BY-LAW 2011-158 SCARDRED 7 COMPANY LIMITED, OFFICIAL PLAN AMENDMENT, 4038 HIGHWAY NO. 7 EAST
- A by-law to adopt Official Plan Amendment No. 194 to permit additional commercial uses in two existing commercial buildings and the renovation and expansion of the buildings (former White Rose Nurseries Garden Centre and Head Office).
(Item No. 5, Report No. 42)
[By-law](#) **CARRIED**
- BY-LAW 2011-159 SCARDRED 7 COMPANY LIMITED, ZONING BY-LAW AMENDMENT, 4038 HIGHWAY NO. 7 EAST
- A by-law to amend By-law 118-79, as amended, to add several commercial uses to the current use permissions and to limit redevelopment of the site to within the existing building setbacks (former White Rose Nurseries Garden Centre and Head Office).
(Item No. 5, Report No. 42)
[By-law](#) **CARRIED**
- BY-LAW 2011-160 HOLD REMOVAL BY-LAW – JADE-KENNEDY DEVELOPMENT CORPORATION, EAST OF KENNEDY ROAD BETWEEN CASTAN AVENUE AND SOUTH UNIONVILLE AVENUE
- A by-law to amend Zoning By-law 177-96, as amended, to permit the construction to commence on a 12-storey apartment building.
(Communication No. 56-2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-161 HOLD REMOVAL BY-LAW – TIMES GROUP INC., SOUTH SIDE OF HIGHWAY NO. 7 AND EAST OF WARDEN AVENUE
- A by-law to amend Zoning By-law 2004-196, as amended, to permit construction to commence on a proposed mixed-use development.
(Communication No. 57-2011)
[By-law](#) **CARRIED**

- BY-LAW 2011-162 HOLD REMOVAL BY-LAW – 2148098 Ontario Limited, 83 Old Kennedy Road
- A by-law to amend By-law 177-96, as amended, to permit the construction of a three unit mixed-use multiple-unit building.
(Communication No. 58-2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-163 HOLD REMOVAL BY-LAW – RULAND PROPERTIES INC., 169 AND 179 ENTERPRISE BOULEVARD
- A by-law to amend Zoning By-law 2004-196, as amended, to permit the construction of two multi-storey commercial buildings
(Communication No. 59-2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-164 CROWN OF MARKHAM INC., ZONING BY-LAW AMENDMENT, PART OF LOT 23, CONCESSION 3, WEST CATHEDRAL COMMUNITY (DELETING BY-LAW)
- A by-law to amend Zoning By-law 304-87, as amended, to delete the subject lands from By-law 304-87, as amended, so they can be incorporated into By-law 177-96, as amended, to permit 10 single detached units, 19 townhouse units, 121 medium density condominium townhouse units and 78 mixed use live/work units.
(Item No. 3, Report No. 34, 2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-165 CROWN OF MARKHAM INC., ZONING BY-LAW AMENDMENT, PART OF LOT 23, CONCESSION 3, WEST CATHEDRAL COMMUNITY (IMPLEMENTING BY-LAW)
- A by-law to amend Zoning By-law 177-96, as amended, to permit 10 single detached units, 19 townhouse units, 121 medium density condominium townhouse units and 78 mixed use live/work units.
(Item No. 3, Report No. 34, 2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-167 ROAD DEDICATION BY-LAW, BLOCK 218, PLAN 65M-3376, BLOCK 219, PLAN 65M-3376, BLOCK 220, PLAN 65M-3376, BLOCK 236, PLAN 65M-3216
- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Cynthia Jean, Street, Viscount Drive, Westlake Road and Castlemore Avenue)
[By-law](#) **CARRIED**

- BY-LAW 2011-168 ROAD DEDICATION BY-LAW, BLOCK 76, PLAN 65M-3775, BLOCK 77, PLAN 65M-3775, LOT 8, PLAN 2196
- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Peshawar Avenue, Caboto Trail and Glenbar Gardens).
[By-law](#) **CARRIED**
- BY-LAW 2011-169 ROAD DEDICATION BY-LAW, BLOCK 105, PLAN 65M-3612, BLOCK 31, PLAN 65M-3771
- A by-law to dedicate certain lands as part of the highways of the Town of Markham (Stricker Avenue and Pineforest Place).
[By-law](#) **CARRIED**
- BY-LAW 2011-170 DEEMING BY-LAW – 127 MAIN STREET, UNIONVILLE
- A by-law to designate and deem Lots 12 and 13, Plan 401, not to be a registered plan of subdivision.
[By-law](#) **CARRIED**
- BY-LAW 2011-171 SEVEN STAR PLAZA INC. ZONING BY-LAW AMENDMENT, 8495 MCCOWAN ROAD, 5261 AND 5293 HIGHWAY 7
- A by-law amend By-law 1229, as amended, to rezone the lands at 8495 McCowan Road from Residential One (R1) to Commercial One (C1) within the designated area of By-law 1229, as amended, consistent with the zoning on the lands at 5261 Highway 7 and 5293 Highway 7.
(Item No. 4, Report No. 52, 2010)
[By-law](#) **CARRIED**
- BY-LAW 2011-172 CEDARDALE MARKHAM INC., SOUTH-EAST CORNER OF HIGHWAY 48 AND CASTLEMORE AVENUE, ZONING BY-LAW AMENDMENT (DELETING BY-LAW)
- A by-law to amend By-law 88-76, as amended, so that the lands may be incorporated into By-law 177-96, as amended, to permit the lands to be developed with two (2) 18-20 storey mixed-use buildings and a one (1) storey commercial building and a park.
(Item No. 3, Report No. 42)
[By-law](#) **CARRIED**

- BY-LAW 2011-173 CEDARDALE MARKHAM INC., SOUTH-EAST CORNER OF HIGHWAY 48 AND CASTLEMORE AVENUE, ZONING BY-LAW AMENDMENT (IMPLEMENTING BY-LAW)
- A by-law to amend By-law 177-96, as amended, to permit the lands to be developed with two (2) 18-20 storey mixed-use buildings and a one (1) storey commercial building and a park.
(Item No. 3, Report No. 42)
[By-law](#) **CARRIED**
- BY-LAW 2011-174 SPRINGHILL MACWOOD HOMES INC., ZONING BY-LAW AMENDMENT, 7128, 7170 AND 7186 HIGHWAY NO. 7, CORNELL COMMUNITY
- A by-law to amend By-law 304-87, as amended, To delete the subject lands from By-law 304-87, as amended, so they may be incorporated into By-law 177-96, as amended, to permit a subdivision consisting of medium and high density residential development.
(Item No. 2, Report No. 2, 2010)
[By-law](#) **CARRIED**
- BY-LAW 2011-175 SPRINGHILL MACWOOD HOMES INC., ZONING BY-LAW AMENDMENT, 7128, 7170 AND 7186 HIGHWAY NO. 7, CORNELL COMMUNITY
- A by-law to amend By-law 177-96, as amended, to permit a subdivision consisting of medium and high density residential development.
(Item No. 2, Report No. 2, 2010)
[By-law](#) **CARRIED**
- BY-LAW 2011-176 UPPER UNIONVILLE INC., ZONING BY-LAW AMENDMENT, NORTHEAST CORNER OF 16TH AVENUE AND KENNEDY ROAD (DELETING BY-LAW)
- A by-law to amend Zoning 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 the development of residential units, school blocks, parks and a stormwater management pond.
(Item No. 1, Report No. 31, 2011)
[By-law](#) **CARRIED**

- BY-LAW 2011-177 UPPER UNIONVILLE INC., ZONING BY-LAW AMENDMENT, NORTHEAST CORNER OF 16TH AVENUE AND KENNEDY ROAD (IMPLEMENTING BY-LAW)
- A by-law to amend Zoning By-law 177-96, as amended, to permit the development of residential units, school blocks, parks and a stormwater management pond..
(Item No. 1, Report No. 31, 2011)
[By-law](#) **CARRIED**
- BY-LAW 2011-178 DEEMING BY-LAW – CESARONI HOLDINGS LTD., 10761 WOODBINE AVENUE
- A by-law to deem Lots 2, 3 and 4, Plan 501, not to be a registered plan of subdivision.
(Item No. 7, Report No. 45)
[By-law](#) **CARRIED**
- BY-LAW 2011-179 LASSETER DEVELOPMENTS INC., ZONING BY-LAW AMENDMENT, PART OF LOT 20, CONCESSION 6, BERCZY VILLAGE COMMUNITY
- A by-law to amend Zoning By-law 177-96, as amended, to amend minimum lot frontage and maximum height standards (southwest corner of Major Mackenzie Drive and McCowan Road).
(Item No. 1, Report No. 43)
[By-law](#) **CARRIED**

13. IN-CAMERA ITEMS

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alex Chiu

That, in accordance with Section 239 of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters: (9:18 p.m.)

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING - JUNE 14, 2011 (16.0)
[Section 239 (2) (g)]

REPORT OF GENERAL COMMITTEE – June 20, 2011

- (2) ACQUISITION OF 16 MAIN STREET (8.6)
[Section 239 (2) (c)]
- (3) PROPOSED ACQUISITION OF PROPERTY (8.6)
[Section 239 (2) (c)]
- (4) SURPLUS TOWN LANDS
FORMER ROAD ALLOWANCE BETWEEN
LOTS 10 AND 11, CONCESSION 9 (8.2)
[Section 239 (2) (c)]

REPORT OF GENERAL COMMITTEE – June 27, 2011

- (5) DECLARATION OF SURPLUS REAL PROPERTY
PARTS 2, 3 AND 6, PLAN 65R-32854,
BEING LANDS NEAR THE 16TH AVENUE AND
REESOR ROAD INTERSECTION
[Section 239 (2) (c)]
- (6) APPOINTMENTS TO BOARDS AND COMMITTEES
[Section 239 (2) (b)]
- (7) SANITARY SEWER ON AMBER STREET
[Section 239 (2) (e)]
- (8) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUALS
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
[Section 239 (2) (b)]

REPORT OF DEVELOPMENT SERVICES COMMITTEE – June 28, 2011

- (9) LEGAL ADVICE RE GEMCROSS DEVELOPMENTS
(CONSTRADA AGGREGATE RECYCLING FACILITY) (10.0)
[Section 239 (2) (f)]
- (10) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS
BEFORE ADMINISTRATIVE TRIBUNALS,
AFFECTING THE MUNICIPALITY OR LOCAL BOARD (8.0)
[Section 239 (2) (e)]

COUNCIL – June 28, 2011

- (11) PAN AM GAMES (6.0)
[Section 239 (2) (a)]

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

That Council rise from the in-camera session and report. (10:43 p.m.)

CARRIED

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- JUNE 14, 2011 (16.0)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

- 1) That the minutes of the in-camera Council meeting held on June 14, 2011, be confirmed.

CARRIED

(2) ACQUISITION OF 16 MAIN STREET
UNIONVILLE, ONTARIO (8.6)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

- 1) That the confidential report entitled "Acquisition of 16 Main Street, Unionville, Ontario" be received.

CARRIED

(3) PROPOSED ACQUISITION OF PROPERTY (8.6)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

- 1) That the confidential report dated May 26, 2011 from the Acting Town Solicitor and Acting Chief Administrative Officer regarding a proposed acquisition of property be received; and,
- 2) That staff be directed to undertake the necessary action to give effect to recommendations of this report.

CARRIED

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

Moved by Councillor Colin Campbell
Seconded by Councillor Alex Chiu

- 1) That the confidential report dated June 15, 2011 from the Town Solicitor and Chief Administrative Officer regarding surplus Town lands be received for information; and,
- 2) That the former road allowance between Lots 10 and 11, Concession 9, described on Exhibit No. 1 to this report be declared surplus to municipal purposes; and further,
- 3) That staff be directed to do all things necessary to give effect to this report.

CARRIED

(5) DECLARATION OF SURPLUS REAL PROPERTY
- PROPOSED DISPOSITION OF TOWN OWNED PROPERTIES
PROPERTIES - 16TH AVENUE AND REESOR ROAD:
ELIMINATION OF JOG (8.6)

Moved by Councillor Colin Campbell

Seconded by Councillor Alex Chiu

- 1) That the confidential report entitled “Declaration of Surplus Real Property - Proposed Disposition of Town Owned Properties - 16th Avenue and Reesor Road: Elimination of Jog” be received; and,
- 2) That Parts 2, 3 and 6, Plan 65R-32854, being lands near the 16th Avenue and Reesor Road intersection be declared surplus pursuant to By-law 178-96 and that notice of the proposed disposition of such lands be placed on the agenda for the Council Meeting June 28, 2011; and,
- 3) That the Mayor and Clerk be authorized to execute a Transfer of Land to the Regional of York, and any other related documents required to complete the transaction described in this report, in a form satisfactory to the Chief Administrative Officer and the Town Solicitor; and further,
- 4) That Staff be authorized and directed to take the actions set out in this report.

CARRIED

(6) APPOINTMENTS TO BOARDS AND COMMITTEES (16.24)

Moved by Councillor Valerie Burke

Seconded by Councillor Don Hamilton

- 1) That the following persons be appointed to the Doors Open Markham Committee with a term ending September 1, 2012:

Sandra Allen
Lalaine Dyok
Nancy Medlock
Catherine Mount
Judy Pfaff

CARRIED

(7) SANITARY SEWER ON AMBER STREET (5.5 & 8.0)

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Gord Landon

- 1) That the confidential report dated June 23, 2011 regarding damaged sanitary sewer on Amber Street be received; and,
- 2) That Waterworks staff proceed to repair the damaged sanitary sewer, sewer manholes and sanitary sewer service connection on Amber Street, in compliance with the Purchasing By-law; and further,
- 3) That Staff be authorized and directed to take the actions set out in this report.

CARRIED

(8) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUALS
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES (11.0)

Moved by Regional Councillor Gord Landon

Seconded by Councillor Howard Shore

- 1) That the General Committee restricted meeting minutes from June 27, 2011 be received; and,
- 2) That staff be authorized to proceed as directed by Council.

CARRIED

(9) LEGAL ADVICE RE GEMCROSS DEVELOPMENTS
(CONSTRADA AGGREGATE RECYCLING FACILITY) (10.0)

Moved by Regional Councillor Gord Landon

Seconded by Councillor Alan Ho

- 1) That the confidential report entitled "Legal Advice re Gemcross Developments (Constrada Aggregate Recycling Facility)" dated June 23, 2011 be received; and,
- 2) That staff be directed to negotiate terms with the applicant regarding an exit date no later than December 31, 2012, and report back to Development Services Committee in the fall.

CARRIED

- (10) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD (8.0)

Council consented to not report out the subject matter at this time.

- (11) PAN AM GAMES (6.0)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That the confidential report dated June 28, 2011 regarding the Pan Am Games, be received; and,
- 2) That staff be directed to do all things necessary to give effect to this report.

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Carolina Moretti

Seconded by Councillor Howard Shore

That By-law 2011-166 be given three readings and enacted.

Three Readings

BY-LAW 2011-166 CONFIRMATORY BY-LAW

- To confirm the proceedings of the Council meeting of June 28, 2011.
(Council Meeting No. 12, 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 10:48 p. m.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)