



## BY-LAW 2007-262

### A BY-LAW TO AMEND BY-LAW NO. 2001-1 A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL

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WHEREAS pursuant to Section 238(2) of The Municipal Act, the Town of Markham has adopted a Procedural By-law;

AND WHEREAS Council continues to review its policies and procedures to ensure efficient and effective operation of the business affairs of the Town;

NOW THEREFORE, BE IT RESOLVED that By-law No. 2001-1, a by-law to govern the proceedings of Council and Committees of Council, be amended as follows:

- 1) That Section 1. - DEFINITIONS be amended as follows:

Sub-Section c)

Delete the following paragraph in its entirety:

""Committee" means a Committee of Council, and includes Advisory Committee and Standing Committee of Council."

and

Replace with the following paragraph:

""Committee" means any Advisory or other Committee, Subcommittee or similar entity of which at least 50 per cent of the Members are also Members of one or more Councils or Local Boards."

Sub-Section l)

Delete the following paragraph in its entirety:

""Meeting" means a gathering of Council, Committee and/or Board Members for which quorum is required in order to make a decision or to deliberate toward a decision on any matter over which it has jurisdiction. This does not include participation at workshops or conferences."

and

Replace with the following paragraph:

""Meeting" means any regular, special or other meeting of a Council, of a Local Board or of a Committee of either of them."

Add the following as Sub-Sections m) to p):

- m) "**Agenda**" means a Town of Markham Standing Committee/Council agenda.
- n) "**Newspaper**" means a printed publication or publications in sheet form, intended for general circulation in the municipality, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers e.g. the Markham Economist and Sun and the Thornhill Liberal.

- o) **"Publish"** means published in a daily, weekly, bi-weekly or tri-weekly newspaper that, in the opinion of the Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, and "publication" has a corresponding meaning.
- p) **"Town of Markham website"** means the Town of Markham website at [www.markham.ca](http://www.markham.ca).

- 2) That Section 5. - IN-CAMERA MEETINGS be amended as follows:

Section 5.1 - In-Camera Meetings

Add the following paragraph as Clause i):

"The meeting is held for the purpose of educating or training the Members and no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee."

- 3) That the following be added under Section 2 - GENERAL PROVISIONS as Section 2.9:

"2.9 Form of Meeting Notices

That the form of meeting notices be provided as outlined in Schedule "A" attached hereto."

- 4) That Section 3. - COUNCIL MEETINGS be amended as follows:

Section 3.4 - Location of Meetings

Delete the following paragraph in its entirety:

"All meetings of Council shall be held in the Council Chambers or at any other place in the Town authorized by the Mayor."

and

Replace with the following paragraph:

"All meetings of Council shall be held in the Council Chambers or at any other place in the Town of Markham or in an adjacent municipality as authorized by the Mayor."

- 5) That Section 4.2 - Appointment of Standing Committee Chairs be amended as follows:

Section 4.2 - Appointment of Standing Committee Chairs

Remove the word "Transportation" from Sub-Section b) (i) and insert it under Sub-Section b) (ii).

Section 4.2, Sub-Section b) (ii)

Revise the clause to read as follows:

"there shall be a Chair and Vice Chair appointed for the following issues being considered by the Development Services Committee:  
- Development Services Issues  
- Economic Development Issues  
- Transportation Issues"

- 6) That Schedule "A", Terms of Reference for General Committee and Schedule "B", Terms of Reference for Development Services Committee, be replaced with the Schedules "A", "B" and "C" attached hereto.
- 7) That Schedules "A" and "B" be renumbered to Schedules "B" and "C" in Section 4.8, Sub-sections a) and b).
- 8) That Notice By-law 2002-275 be repealed in its entirety.
- 9) That this by-law comes into force and takes effect on its passing.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
27<sup>TH</sup> DAY OF NOVEMBER, 2007.

  
SHEILA BIRRELL, TOWN CLERK

  
FRANK SCARPITTI, MAYOR

***SCHEDULE "A" TO BY-LAW NO. 2001-1***  
**FORM OF MEETING NOTICES**

**(a) Notice**

1. Notice shall be given of meetings.

**(b) Time and Form of Notice**

1. The form of the notice shall include the following information:
  - A description of the purpose of the meeting, or the purpose and effect of the proposed by-law.
  - The date, time and location of the meeting.
  - Where the purpose of the meeting or proposed by-law is related to specific lands within the Town, a key map showing the affected lands.
  - The name, address, phone number and email address of the person who will receive written comments on the issue which is the subject of the meeting and the deadline for receiving such comments.
2. Where notice is prescribed by a specific Act or piece of Legislation, the municipality shall cause such notice to be given as prescribed.
3. Where notice is not prescribed, notice shall be published as follows:
  - a) On the Town of Markham website, and
  - b) On the agenda
  - c) All of the above
4. Where notice is not prescribed and for matters of Town-wide nature, notice shall also be published in the local newspaper, a minimum of one publication immediately prior to the proposed action being taken.
5. Nothing in this by-law shall prevent the Clerk from using more extended methods of notice.
6. Nothing in this by-law shall prevent the Clerk from using more comprehensive timeframes for providing notice.

**(c) Emergency Issue Notice**

1. If a matter arises, which, in the opinion of the administration in consultation with the Chief Administrative Officer, is considered to be of an urgent nature, and which would affect the health or well-being of the residents of the Town of Markham, or if so advised by a Provincial Ministry, the notice requirements of this by-law shall be waived and the Clerk and Chief Administrative Officer shall make their best efforts to provide as much notice as is reasonable under the circumstances.

***SCHEDULE "B" TO BY-LAW NO. 2001-1***  
**GENERAL COMMITTEE**

**TERMS OF REFERENCE**

**Composition**

- (a) The General Committee shall be composed of all Members of Council.

**Mandate**

(a) **General**

The mandate of the General Committee of the Town of Markham shall be:

- to report and make recommendations to Council on matters relating to Town-owned land and buildings; and administrative matters relating to Town policies, by-laws and licenses and such other similar matters as referred to it by Council; and
- to report and make recommendations to Council on matters relating to community service policies, including roads, environmental management, fire and other protective services and such other similar matters as referred to it by Council.

(b) **Specific Duties**

Notwithstanding the generality of the foregoing, the specific duties of the General Committee of the Town of Markham shall include the following:

1. to monitor the Town's revenue and expenditures on an ongoing basis as each financial year progresses.
2. to report and make recommendations to Council on matters of policy pertaining to financial management.
3. to report and make recommendations to Council on matters of policy relating to the collection of taxes.
4. to report and make recommendations to Council on matters of policy respecting all facets of human resources, including health and safety, union/management relations and the various employee groups.
5. to report and make recommendations to Council on matters of policy on licensing, including enforcement issues.
6. to report and make recommendations to Council on matters of policy as they relate to Town property/buildings, including property maintenance, pedestrian walkways, snow removal and grass cutting on Town-owned property.
7. to report and make recommendations to Council on matters of policy involving purchasing and tendering, records management and the management and release of information.
8. to report and make recommendations to Council on matters of policy involving communications issues.
9. to report and make recommendations to Council on matters of policy involving general policies and Procedures and administrative by-laws.
10. to assume the mandate and responsibility for the Court of Revision and Licensing Committee.
11. to assume the mandate and responsibility of the Audit Committee.

12. to report and make recommendations to Council on policy matters relating to recreation, parks, cultural affairs, multi-cultural matters, community organizations.
13. to report and make recommendations on special events/occasions.
14. to carry out such liaison as may be necessary from time to time with various community groups regarding specific problems or specific areas of interest or concern.
15. to report and make recommendations to Council on safety/emergency and accessibility matters.
16. to liaise with York Regional Police for the purpose of reducing crime.
17. to report and make recommendations to Council on matters of policy regarding waste management, including garbage collection and disposal.
18. to report and make recommendations to Council on matters of policy regarding existing water and sewer infrastructure.
19. to report and make recommendations to Council on matters of policy and programs regarding environmental management, including pesticide issues and conservation.
20. to report and make recommendations to Council on protection and enhancement of the quality of the natural environment, including the maintenance and operation of municipal parks and public and private green space.
21. to coordinate bi-annual Achievement and Civic Recognition Awards Ceremony.
22. to report and make recommendations to Council on matters relating to the Race Relations Committee, Mayor's Youth Task Force, Advisory Committee on Accessibility, Markham Conservation Committee, Markham Theatre Board, Markham Museum Board and the Varley Art Gallery Board.
23. to report and make recommendations to Council on matters of policy regarding existing roads, sidewalks and bicycle paths.
24. to report and make recommendations to Council on matters of policy regarding current roads operations, including winter maintenance.
25. to consider such similar matters as may be referred by Council or the Chief Administrative Officer from time to time.

The General Committee shall have the ability to second people from the community for the purpose of establishing advisory committees and task forces for specific issues or events, as necessary, which would provide meaningful assistance but which would dissolve upon completion of the task.

***SCHEDULE "C" TO BY-LAW NO. 2001-1***  
**DEVELOPMENT SERVICES COMMITTEE**

**TERMS OF REFERENCE**

**Legislative Authority**

- (a) The Development Services Committee of the Town of Markham shall be constituted and appointed pursuant to the relevant provisions of the *Municipal Act*.

**Composition**

- (a) The Development Services Committee shall be composed of All Members of Council.

**Mandate**

(a) **General**

The general mandate of the Development Services Committee shall be:

- to report and make recommendations to Council on matters within the purview of the municipality under the *Municipal Act*, *Planning Act*, *Condominium Act*, *Rental Housing Protection Act*, *Environmental Assessment Act*, *Ontario Heritage Act*, and related legislation, and such other similar matters of a planning nature as are referred to it by Council, and
- to report and make recommendations to Council on matters relating to economic strategy; and administrative matters relating to Town policies, marketing and such other similar matters as referred to it by Council.
- to report and make recommendations to Council on matters relating to transit planning, transportation, environmental assessment; and other similar matters as referred to it by Council.

(b) **Specific Duties**

Notwithstanding the generality of the foregoing, the specific duties of the Development Services Committee shall include the following:

1. to report and make recommendations to Council on the Markham Official Plan and Zoning By-Laws and amendments thereto, pursuant to the *Planning Act*, and to conduct such related public meetings as may be required pursuant to the *Planning Act*.
2. to exercise the approval authority of Council pursuant to the Site Plan Control provisions of the *Planning Act* and the Sign By-law provisions of the *Municipal Act*, with such limitations, provisions and exemptions as Council may from time to time determine.
3. to report and make recommendations to Council on applications for subdivision and condominium approval pursuant to the *Planning Act* and *Condominium Act*, as applicable.
4. to report and make recommendations to Council on policy issues relating to economic development.
5. to report and make recommendations to Council on such matters as community planning, urban design guidelines, environmental policy, heritage policy and related housing policy and programs in accordance with the directions contained in the Official Plan.
6. to report and make recommendations to Council on all matters of a planning policy and program nature as are referred to it by Council including the conducting of such public meetings as may be required with respect to such matters, policies and programs.

7. to advise Council as to those matters of a planning and development nature which, in the opinion of the Committee, warrant Council's particular consideration and direction.
8. to undertake studies and research with respect to planning and policy matters and defined planning areas including secondary plans, neighbourhood plans, park plans, land use concept plans, heritage district plans, and land use issue studies and to conduct related public information programs.
9. to report and make recommendations to Council on matters of policy respecting engineering standards and transportation and servicing infrastructure to support new development and re-development.
10. to report and make recommendations to Council on parks and public open space policy and standards, and parks infrastructure to support new development and re-development.
11. to report and make recommendations to Council on Design Achievement Awards for the Town of Markham.
12. to advise and assist Council in any matters arising from the work of the Committee of Adjustment in considering applications for consent and minor variance under the *Planning Act*, including possible Town participation at any Ontario Municipal Board Hearings to consider the appeal of Committee of Adjustment decisions.
13. to report and make recommendations to Council on matters of policy regarding building inspection, including building and foundation permits.
14. To periodically review and update the Town's Economic Development Strategy that positions Markham as the best place to work and locate high-tech and other leading business in North America. The Town of Markham's economic development strategy is a 3-year program document that was most recently published in 2000/2001. Subsequently, the Town adopted a corporate strategy and community vision (Engage 21<sup>st</sup> Century Markham) that includes economic development goals and initiatives. It is therefore appropriate that the a new 3-year strategy be adopted that builds on the strengths of the existing program, and targets new opportunities and challenges that need to be addressed.
15. To recommend to Council an annual marketing plan, marketing activities, and a budget that would enable the Economic Development Strategy to be achieved. Each year, prior to the formal adoption of an annual budget by Council, the Development Services Development Committee receives and reviews marketing program proposals and recommendations from Town staff. As well, given the dynamic nature of economic development and its reliance on partnerships with external organizations, the Committee addresses new and ad hoc proposals and marketing initiatives on an on-going basis throughout the year.
16. To recommend to Council policy initiatives that will support and enhance the economic well-being and competitiveness of Markham. The Development Services Development Committee will act as a forum of informed opinion and strategic advice in support of policy initiatives that can help to strengthen the Town's economic well-being, and the prosperity of the community.
17. To monitor and evaluate the success and effectiveness of the Town's economic development program. On a regular basis (at least annually), the Development Services Committee will formally advise Council of the success and effectiveness of the Town's economic development program.



18. to report and make recommendations to Council on matters of policy relating to transportation, transit planning, rapid transit and other access issues;
19. to report and make recommendations to Council on improved transportation infrastructure and on the effective and efficient movement of people and goods;
20. to report and make recommendations to Council on matters of policy regarding existing roads, sidewalks and bicycle paths.
21. to consider such similar matters as may be referred by Council or the Chief Administrative Officer from time to time.

The Development Services Committee shall have the ability to second people from the community for the purpose of establishing advisory committees and task forces for specific issues or events, as necessary, which would provide meaningful assistance but which would dissolve upon completion of the task.