



COUNCIL MINUTES

March 20, 2012

Canada Room, Anthony Roman Markham Civic Centre

Meeting No. 5

Alternate formats for this document are available upon request

ROLL CALL

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

STAFF

Andy Taylor, Chief Administrative Officer
Jim Baird, Commissioner of Development Services
Catherine Conrad, Town Solicitor
Brenda Librecz, Commissioner of Community and Fire Services
Kimberley Kitteringham, Town Clerk
Alida Tari, Council/Committee Coordinator
Joel Lustig, Treasurer
Dennis Flaherty, Director, Communications & Community Relations
John Wong, Technology Support Specialist
Bill Wiles, Manager of Enforcement and Licensing

The Regular Meeting of Council convened at 7:10 p.m. on March 20, 2012 in the Canada Room. Deputy Mayor Jack Heath presided until 7:25 p.m. and Mayor Frank Scarpitti presided thereafter.

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) Councillor Valerie Burke disclosed an interest with respect to Item No. 1, Report No. 15 and By-law 2012-61, regarding the Interim Control By-law for Thornlea Industrial Area, by nature of there being a family-owned business in the area, and did not take part in the consideration or discussion of or vote on the question of the approval of such matter.

2. MINUTES

- (1) COUNCIL MINUTES – FEBRUARY 28 AND 29, 2012

[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Carolina Moretti

- 1) That the Minutes of the Council Meeting held on February 28 and 29, 2012, be adopted.

CARRIED

3. PRESENTATIONS

- (1) RIVER WONG - 2011 ONTARIO JUNIOR CITIZEN OF THE YEAR AWARD RECOGNITION (12.2.6)

Council recognized River Wong, recipient of the 2011 Ontario Junior Citizen of the Award.

The award recognizes outstanding young people who has contributed to the community service, or contributed to the community while living with a physical or psychological limitation, or performed acts of heroism or bravery. Candidates are also recognized for being ‘good kids’ who show a commitment to making life better for others.

- (2) MARKHAM VILLAGE IN THE PHILIPPINES RECOGNITION (12.2.6)

Council recognized a group of Toronto Catholic District School Board students and adult volunteers for travelling to Philippines to build a community named "Markham Village".

Consul General Pedro Chan addressed Council and expressed his appreciation for the welcome shown to him by the Council of the Town of Markham.

Student Participants

Jhoselyn Adames
Adrian Autencio
Olivia Campbell
Alissa Caringal
Jessica Carino
Marissa David
Aaron Espiritu
Hannah Fabro
Liphayette Hilado
Cameron Magee

Meghan Musngi
Patrick Parro
Camille Silverio
Michael Tang
Ninivette Vergara

Adult Volunteers

Ethel Forester
Kimberly Milanes
David Hyde
Trisha Lasola
Michael Consul
Belen Conul
Bernie Consul

Moved by Councillor Alex Chiu
Seconded by Deputy Mayor Jack Heath

- 1) That Council of the Town of Markham express its appreciation to Philippine Consul General Pedro Chan for his 34 years of public service and that Council extend best wishes to the Consul General on his retirement.

CARRIED

4. DELEGATIONS

Council consented to add Delegation Nos. 1 to 3.

- (1) TUPPER WHEATLEY, MILNE PARK CONSERVATION ASSOCIATION (5.7)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Carolina Moretti

- 1) That the delegation of Tupper Wheatley, Milne Park Conservation Association, providing comments regarding the item titled "Tributary #5 Improvements – Funding" be received. (Item No. 5, Report No. 13)

CARRIED

- (2) PETER MCLEOD (2.16)
- Addressed Council and spoke in support of the proposed motion titled "Illegal Signs on Municipal Boulevards. (Motion No. 1)

- (3) SAL CRIMI, S.C. LAND MANAGEMENT CORPORATION (10.5)
- Addressed Council and spoke in support of the proposed by-laws for the applications submitted by 1839314 Ontario Limited (formerly Great Eldin Developments Ltd.), 9560 Highway 48. (By-laws 2012-62 and 2012-63)

5. PETITIONS

- (1) BURYING THE POWER LINES BETWEEN
RODICK ROAD AND SCIBERRAS ROAD (5.0)
[Petition](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

- 1) That the petition signed by approximately 218 residents of YRSCC 1183, Circa2 Condominium, 23 Cox Boulevard, providing their support with respect to the burying of the power lines between Rodick Road and Sciberras Road be received.

CARRIED

6(a) REPORT NO. 12 - GENERAL COMMITTEE (March 5, 2012)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alan Ho

That Report No. 12 – General Committee comprised of 2 items be received and adopted.

- (1) TEMPORARY ROAD CLOSURE OF REESOR
ROAD TO MAJOR MACKENZIE DRIVE TO
HIGHWAY 7 (5.10)
[Report](#)

- 1) THAT the report titled “Temporary road closure of Reesor Road from Major Mackenzie Drive to Highway 7” be received; and,
2) THAT the closure of Reesor Road from Major Mackenzie Drive to highway 7 be approved from March 19, 2012 to June 15, 2012; and,

- 3) THAT an exemption to the Town's Noise Control By-Law 2003-137 be made to extend the hours of work from 7:00pm to 6:30am during the road closure; and further,
- 4) THAT the staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) MARKHAM MUSEUM COLLECTIONS
MANAGEMENT POLICY (6.7)

[Report](#)

- 1) THAT the report entitled Markham Museum Collection Management Policy be received; and,
- 2) THAT Council approve the revised Markham Museum Collection Policy (appendix A) recommended by the Friends of Markham Museum and Staff; and,
- 3) THAT the Museum Curator maintain the authority to sign gift agreements and other routine legal documents pertaining to collection management; and further,
- 4) THAT Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(b) REPORT NO. 13 - DEVELOPMENT SERVICES COMMITTEE (March 6, 2012)

Moved by Regional Councillor Gord Landon

Seconded by Councillor Colin Campbell

That Report No. 13 – Development Services Committee comprised of 6 items be received and adopted.

(1) YORK REGION 16TH AVENUE
TRUNK SEWER ENHANCEMENT PROJECTS
– ROBINSON CREEK NORTH PROJECT (5.10)
[Report](#)

- 1) That the report entitled “York Region, 16th Avenue Trunk Sewer Enhancement Projects - Robinson Creek North Project” dated March 6, 2012, be received; and,
- 2) That Council endorse the Robinson Creek North Restoration Project subject to the following:
 - i) That staff continue to work with the Toronto and Region Conservation Authority and the Region of York to finalize the design for the channel restoration and the multi-use pathway, to the satisfaction of the Town; and,
 - ii) That the Commissioner of Development Services and the Town Solicitor be authorized to execute an agreement with the TRCA and the Region of York, for the works to be done on the Town owned lands at no expense to the Town, and further
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) STATUS UPDATE REPORT
TRIBUTE (UNIONVILLE) LIMITED ZONING
BY-LAW AMENDMENT APPLICATION TO
PERMIT A MIXED-USE COMMERCIAL-
RESIDENTIAL BUILDING AT 20 FRED VARLEY DRIVE (10.5)
[Report](#)

- 1) That the report titled “Status Update Report, Tribute (Unionville) Limited, Zoning By-law Amendment application to permit a mixed-use commercial-residential building at 20 Fred Varley Drive, File No. ZA 11 113101” be received; and

- 2) That Council direct the Town Solicitor and Staff to request mediation at the Ontario Municipal Board (OMB); and further
- 3) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) REQUEST FOR DEMOLITION OF DWELLINGS
23 PRINCESS ST. AND 59 ROUGE ST.
MARKHAM VILLAGE HERITAGE CONSERVATION DISTRICT
(FORMERLY CALLED 23 PRINCESS STREET AND 59 ROUGE STREET,
MARKHAM VILLAGE, REQUEST FOR DEMOLITION OF DWELLINGS)
(10.13 and 16.11)

[Report](#)

- 1) That the staff report titled “Request for Demolition of Dwelling, 23 Princess St. and 59 Rouge St., Markham Village Heritage Conservation District” dated March 9, 2012, be received; and,
- 2) That Council has no objection to the demolition of the dwellings at 23 Princess St. and 59 Rouge St. subject to the following conditions:
 - a) The applicant to advertise in the local newspaper the availability of the dwellings for relocation and/or salvage of materials to promote diversion of materials from landfill;
 - b) The applicant or future owner obtain Site Plan Approval for a new dwelling which complies with the Markham Village Heritage Conservation District Plan prior to the issuance of a demolition permit;
 - c) The applicant or future owner work with staff to retain mature trees on the property; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (4) TRIBUTARY #5 IMPROVEMENTS – FUNDING (5.7)
[Report](#)

- 1) That the report entitled “Tributary #5 Improvements – Funding” be received; and,

- 2) That the budget for the Capital Account #70-5350-11416-005 be increased by \$932,324.84 inclusive of HST to be funded from the Townwide Hard Development Charges Reserve for the following items:
 - a. Associated cost of Tributary #5 Improvements, at 16 Main Street in the amount of \$832,324.84 inclusive of HST;
 - b. Additional contingency allowance for this project of \$100,000.00 (from \$63,893.82 to \$163,893.82) inclusive of HST; and,
- 3) That upon completion of the Tributary #5 Improvements, any unused funding be transferred back to the Townwide Hard Development Charge Reserve; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) MARKHAM ROAD FROM 16TH AVENUE TO
MAJOR MACKENZIE DRIVE MUNICIPAL SERVICING (5.10)
[Report](#)

- 1) THAT the staff report entitled, "Markham Road from 16th Avenue to Major Mackenzie Drive Municipal Servicing" be received; and,
- 2) THAT the existing 300mm diameter sanitary sewer on the East side of Markham Road from north of Edward Jeffrey's Avenue northward to approximately 160m south of Major Mackenzie Drive be upgraded with a new larger diameter sanitary sewer (450mm and 525mm) to accommodate future development within the area; and,
- 3) THAT a new 2012 Engineering Department capital project be created for the proposed upgrade of the existing sanitary sewer on Markham Road, from 16th Avenue to Major Mackenzie Drive, and Bur Oak Avenue, in the amounts of \$900,000.00, inclusive of HST, to accommodate future development, to be funded the from Town Wide Hard (TWH) DC reserve, with subsequent recoveries from the future Area Specific Development Charge (ASDC) reserve, and \$100,000.00, for the non-growth portion, inclusive of HST to be funded from the Non-DC Growth Reserve Fund; and,

- 4) THAT the Development Charges Background Study scheduled to be completed by the spring/summer of 2013, include an Area Specific Development Charge (ASDC) which shall include the sanitary sewer upgrade; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(6) AWARD OF PROPOSAL 221-R-11-CONSULTING SERVICES
FOR THE TRIBUTARY #5 ENVIRONMENTAL ASSESSMENT STUDY (5.7)
[Report](#)

- 1) THAT the report entitled “Award of Proposal 221-R-11-Consulting Services for the Tributary #5 Environmental Assessment Study”, be received; and,
- 2) THAT the contract for Tender 221-R-11-Consulting Services for the “Tributary #5 Environmental Assessment Study” be awarded to the highest ranked, second lowest priced, bidder, URS Canada Inc., in the amount of \$93,016.78 inclusive of HST; and,
- 3) THAT that a separate purchase order in the amount of \$ 15,000.00 inclusive of HST be issued for contingency to cover any additional consultation costs and that the Director of Engineering be authorized to approve the expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) THAT the Engineering Department Project Management fee in the amount of \$12,962.01 inclusive of HST be funded from the Markham Centre Mobility Hub Account as detailed in this report; and,
- 5) THAT a new Engineering Department 2012 Capital Budget be created for this study in the amount of \$120,978.79 inclusive of HST to be funded from the Town Wide Development Charges; and,
- 6) THAT the enhancements to the tributary arising from the Environmental Assessment study be included in the future Development Charge Bylaw Update; and further,
- 7) THAT staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(c) REPORT NO. 14 - GENERAL COMMITTEE (March 19, 2012)

Council consented to add Report No. 14 and to separate Item Nos. 1 and 3.
(See following Item Nos. 1 and 3)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Alex Chiu

That Report No. 14 – General Committee comprised of 7 items be received and adopted.

(1) **MASTER FIRE PLAN (5.0)**
[Report](#) [Presentation](#)

- 1) That the report and presentation titled “Town of Markham Master Fire Plan Presentation and Final Report to Council” be received and,
- 2) That the Master Fire Plan be adopted, in principle, subject to further reporting; and,
- 3) That the Fire Chief be directed to report back to Council during 2nd quarter 2012 on priorities, cost implications and options for phased implementation; and,
- 4) That Council direct staff to immediately begin investigating potential land acquisitions for future fire station(s) and/or opportunities to incorporate fire stations within existing buildings in high density areas such as Markham Centre and Langstaff, and report back to General Committee; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Council consented to approve the revised Resolution No. 4 as noted above and not to consider the following Resolution No. 4 outlined on the agenda:

- "4) That Council direct staff to begin investigating potential land acquisitions for future fire station(s) in Markham Centre and report back to Committee;"

(2) AMENDED 2012 CELEBRATE MARKHAM GRANTS (7.6)

[Memo](#) [Appendix A \(amended\)](#) [Report](#)

- 1) That the memo entitled “Amended 2012 Celebrate Markham Grants Allocation” be received; and,
- 2) That the 2012 Allocation of Celebrate Markham Grants as outlined in the Amended Appendix A be approved; and,
- 3) That the Celebrate Markham Grant allocations be referred to the Budget Subcommittee during the 2013 budget process to review the related funding for Celebrate Markham events, Senior groups and other organizations; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) SUMMARY OF 2011 REMUNERATION
& EXPENSES FOR COUNCILLORS AND
APPOINTEES TO BOARDS (7.0)

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

- 1) That Council receive for information the March 19, 2012 report entitled “Summary of 2011 Remuneration & Expenses for Councillors and Appointees to Boards”; and,
- 2) That staff be directed to examine the reporting of remuneration and expenses of comparable Greater Toronto Area (GTA) municipalities including the level of detail that is reported out, and a comparison of allowances for Member of Council between Town of Markham and other comparable GTA municipalities; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Council consented to delete the words "...high level..." before the words "...comparison of allowances..." in Resolution No. 2.

(4) CONTRACT EXTENSION FOR 013-T-09
ASPHALT MAINTENANCE AND 014-T-09
CONCRETE MAINTENANCE (5.10)

[Report](#)

- 1) That the report entitled “Contract Extension for 013-T-09 Asphalt Maintenance and 014-T-09 Concrete Maintenance ” be received; and,
- 2) That contract 013-T-09 Asphalt Maintenance be extended to D. Crupi & Sons Ltd for an additional season (April 1, 2012 to December 31, 2012) in the estimated annual amount of \$1,025,500 inclusive of HST; and,
- 3) That 014-T-09 Concrete Maintenance be extended to V.T.A. Construction Limited for an additional season (April 1, 2012 to December 31, 2012) in the estimated annual amount of \$902,220 inclusive of HST; and,
- 4) That the tendering process be waived in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1) (c) which states “when the extension of an existing contract would prove more cost-effective or beneficial”; and,
- 5) That funds be provided from the budget accounts as listed in the Financial Considerations section of this report in the amount of \$1,927,720, inclusive of HST impact; and,
- 6) That this report be brought forward to the March 20th, 2012 Council meeting for approval; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) FACILITY & PARK NAMING POLICY (5.0)

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

- 1) That the report “Facility & Park Naming Policy” be received; and,
- 2) That the Facility & Park Naming Policy be amended to include Stormwater Management (SWM) Ponds and remove the word "posthumously" from the selection criteria and the accompanying note; and,
- 3) That Council endorse the Facility & Park Naming Policy as attached in Appendix A as amended at the March 19, 2012 General Committee meeting, for all facilities and parks to be constructed moving forward in 2012; and,

- 4) That Staff review the existing parks and facilities that have not yet been named, bringing forward recommendations to General Committee by September 2012; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(6) ANNUAL WATER QUALITY REPORT
(JAN- DEC 2011) (5.3)
[Report](#)

- 1) That the report titled “Annual Water Quality Report (January – December 2011)” as required be Schedule 22 of the Ontario Drinking System Regulation 170/03 (O. Reg. 170/03) be received; and,
- 2) That the 2011 Annual Water Quality Report (Attachment “A”), contains information for the Ministry of the Environment (MOE) on water supply and quality as required be Section 11 of O. Reg. 170/03, be received; and,
- 3) That Council directs staff to post the 2011 Annual Water Quality Report on the Town’s website and that it be made available and provided to residents upon request in hard copy version by February 28, 2012; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(7) REPLACEMENT OF MUNICIPAL REPRESENTATIVE
FOR THE CREDIT VALLEY, TORONTO REGION
AND CENTRAL LAKE ONTARIO (CTC)
REGION SOURCE PROTECTION COMMITTEE
AS REQUIRED BY THE CLEAN WATER ACT (13.4)
[Letter](#)

- 1) That the letter dated February 17, 2012 from York Region regarding municipal representation on the Credit Valley, Toronto Region and Central Lake Ontario Region Source Protection Committee be received; and,

- 2) That the Regional Municipality of York's appointment of Don Goodyear as the municipal representative to the Credit Valley, Toronto Region and Central Lake Ontario Region Source Protection Committee be endorsed.

CARRIED

6(d) REPORT NO. 15 - DEVELOPMENT SERVICES COMMITTEE (March 20, 2012)

Council consented to add Report No. 15 and to separate Item No. 1. (See following Item No. 1)

Moved by Councillor Howard Shore
Seconded by Councillor Don Hamilton

That Report No. 15 – Development Services Committee comprised of 1 item be received and adopted.

- (1) RECOMMENDATION REPORT
INTERIM CONTROL BY-LAW
THORNLEA INDUSTRIAL AREA
THORNHILL COMMUNITY (PR 12 108428) (10.0)
[Report](#) [Figures 1+2](#) [Appendix A](#)

- (1) That the report entitled "Recommendation Report, Interim Control By-law Thornlea Industrial Area, Thornhill Community File # PR 12 108428" dated March 20, 2012, be received; and,
- 2) That pursuant to Section 38 of the Planning Act, Council enact an Interim Control By-law for the Thornlea Industrial Area, substantially in accordance with the proposed By-law attached as Appendix 'A'; and,
- 3) That Industry Canada and the Honourable Peter Kent, Minister of the Environment and Member of Parliament for Thornhill, be notified of the Interim Control By-law; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2012-61)

CARRIED

(Councillor Valerie Burke abstained)

Council consented to replace the words "...Minister of the Environment..." with the words "...the Honourable Peter Kent, Minister of the Environment and Member of Parliament for Thornhill..." in Resolution No. 3.

7. MOTIONS

(1) ILLEGAL SIGNS ON MUNICIPAL BOULEVARDS (2.16)

Moved by Councillor Howard Shore

Seconded by Councillor Logan Kanapathi

Whereas the proliferation of illegal signs littering municipal boulevards are a genuine public safety concern causing sight distance problems, especially at intersections blocking the view of motorists and pedestrians; and,

Whereas illegal signs are an eyesore that end up on city streets, in gutters and distract drivers creating an issue of health and safety; and,

Whereas illegal signs create the same negative perception of in a community as graffiti or other forms of vandalism and, in fact, illegal signs adhered to municipal property such as Stop signs, traffic signal poles and hydro poles constitute vandalism; and,

Whereas illegal signage can impact property values for property owners, and drain taxpayer resources for their removal; and,

Whereas illegally placed signs are contrary to character the Town of Markham wishes to portray as a clean and sustainable community; and,

Whereas illegal signs are a blight on the landscape; and,

Whereas the Town of Markham wishes to encourage the effective use of signs as a means of communication; and,

Whereas the Town of Markham believes in enhancing the appearance of our municipal roads and boulevards; and,

Whereas the Town of Markham wishes to minimize clutter by limiting the size and number of signs; and,

Whereas the Town of Markham wishes to improve pedestrian and traffic safety; and,

Whereas the Town of Markham wishes to ensure the fair and consistent enforcement of sign regulations; and,

Whereas the Town of Markham wishes to address issues of sign maintenance, repair, replacement and removal;

Now therefore be it resolved:

- 1) That Council request the Town Clerk to report to General Committee, no later than September, 2012 on:
 - a) An overview of Sign By-law regulations pertaining to municipal property and municipal right of ways (boulevards) including information on the current limitations and restrictions on enforcement;
 - b) Amendments to the Sign By-law to permit limited commercial signage, including real estate signage, and determine the maximum numbers and specific locations thereto, allowing the Town to prosecute business and persons placing signs exceeding the prescribed By-law limits;
 - d) A recommendation on an application to the Chief Justice of the Ontario Court of Justice for increased Set Fines as a deterrent to contravening the Sign By-law;
 - e) The process and any recommendations on the recovery of fines and on the costs incurred removing illegal signs by adding the costs to the tax rolls for Markham based offenders and on the possible methods of recoveries for non Markham based offenders; and,
 - f) Any other recommendation on actions that Council can take to reduce the amount of signage being placed on municipal property and right of ways by third parties; and,
2. That the placement of certain types of signs and the methods used on municipal infrastructure, particularly utility poles (hydro, light standards, traffic signals) and traffic signage, shall be considered as being “damaging, injuring, or defacing” as prohibited in By-laws and prosecuted according; and,
3. That Council reaffirm its commitment to the beautification of its public realm streetscape and accordingly that, in principle, commercial signage on municipal boulevards is inconsistent with Markham’s Greenprint and to be discouraged; and further,

4. That staff be directed to prepare an information memo for a future General Committee meeting outlining: 1) Legislative Services planned summer Sign By-law Enforcement Program; and 2) potential enhancements to the Program (including costs for additional resources) to ensure increased enforcement of the Town's Sign By-law regulations.

CARRIED

The notice of this motion was given at the February 28, 2012 Council meeting.

Council consented to revise the proposed motion by adding the following as Resolution No. 4:

"That staff be directed to prepare an information memo for a future General Committee meeting outlining: 1) Legislative Services planned summer Sign By-law Enforcement Program; and 2) potential enhancements to the Program (including costs for additional resources) to ensure increased enforcement of the Town's Sign By-law regulations."

- (2) MARKHAM EAST TORONTO RAIL
ORIENT-EXPRESS ALL DAY TRAIN SERVICE (5.14)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Carolina Moretti

That the following motion be deferred to the April 3, 2012 Council meeting for consideration:

Whereas the Metrolinx Regional Transportation Plan 2009 ("The Big Move 2020") identifies full day, 2-way service on the Stouffville line from Mount Joy to Toronto's Union Station as part of the 15 year plan for Regional Rapid Transit; and

Whereas GO Transit will be undertaking an Environmental Assessment (EA) study on the Stouffville line for future infrastructure improvements in Markham and Toronto to provide for the planned full day, 2-way service, to be operational between Markham Center and Toronto's Union Station by 2014; and

Whereas Metrolinx in 2013 is reviewing and updating its Regional Big Move 2020 Transportation Plan. This Stouffville Go Line should be considered for electrification in its entirety; and

Whereas during the environmental assessment process for the Stouffville rail corridor, opportunities exist for alternative technologies to be considered. These alternative technologies include MagLev which is currently used in major centers and is extremely quiet, affordable, efficient and fast; and

Whereas smaller, more cost effective diesel-electric multiple unit (DEMU), trains that are used throughout Europe, in use today in Ottawa on their O-Train line, and is currently being implemented between Toronto Pearson Airport and Union Station; and

Whereas consideration should be given to go directly to Electric Train Technology for the Stouffville GO Line; and

Whereas the electric technology will enable more frequent, lower cost service, with a greater number of new stations stops along the route and improve travel time to our transit riders; and

Whereas the electric technology trains could carry a similar or larger number of transit rides than subway service; and

Whereas the Markham East Toronto Rail Orient-Express (METRO-E) concept would enable more frequent headways, and more frequent transit stops along this approved north-south rapid transit corridor between Stouffville and Union Station; and

Whereas this north-south corridor will also interconnect with a number of existing and planned east-west rapid transit corridors, including VIVA bus rapid transit, 407 Rail Transitway, Steeles BRT/LRT, Finch BRT/LRT, Sheppard Subway, Eglinton-Crosstown LRT, Bloor-Danforth Subway, and Lakeshore East GO; and

Whereas the METRO-E would stimulate transit dependant development (TDD) and redevelopment along this transit corridor; and,

Whereas climate change, global warming, end of oil and gridlock are issues facing all major cities, it is important that all station communities are TDD designed systems to be net zero in energy, waste and emissions and produce the best public realm and quality of life for our citizens; and

Whereas METRO-E would reduce automobile dependence, energy consumption and would promote environmental, social and economic sustainability initiatives; and

Whereas Metrolinx has allocated their budget for transit projects for the next five years and revenues from development charges, TIFs, Section 37, HST, taxes, Gas Taxes increased user fees, improve operating performance are viable and can be leveraged within a Public Private Partnership (P3) model;

Now therefore be it resolved:

- 1) That a steering committee co-chaired by Markham Regional Councillor Jim Jones and member of Toronto Council selected by City of Toronto Council be created. The committee will determine its membership which will include members of Markham, Toronto Council and other municipalities and levels of Government.. This committee will focus on station and rail strategy, TDD, community planning, Government Relationships and Public Private Partnerships; and

- 2) That the Steering Committee seek advice from the participating government bodies, agencies and other sources as determined by the committee with respect to terms of reference and funding requirements for comprehensive studies and reports that would be required to pursue the METRO-E concept; and
- 3) That a working group reporting to the steering committee be formed of representatives from Metrolinx, the City of Toronto, the Region of York, and the Town of Markham to review the need and justification of the METRO-E concept, and the associated transportation, land use planning and economic development benefits; and
- 4) That Metrolinx and other government agencies and stakeholders at the Federal, Provincial, Regional and Municipal level be requested to consider the merit and implications of the METRO-E concept and DEMU/Electric/Maglev technology on the Stouffville rail line in the context of the current review and update of the Metrolinx Regional Transportation Plan and Metrolinx Environment Assessment Study for the GO's Stouffville Line; and
- 5) That copies of this resolution be forwarded to the Premier of Ontario, the Federal Ministers of Finance, Transportation, Infrastructure and the Provincial Ministers of Finance, Transportation and Infrastructure Ontario, East Toronto and Markham area MPP's, the City of Toronto, the Mayor and Council members of the City Toronto, the Toronto Transit Commission, Metrolinx, York Region and York Rapid Transit Corporation."

CARRIED

The notice of this motion was given at the February 28, 2012 Council meeting.

(3) REQUEST TO THE PROVINCE TO AMEND THE MUNICIPAL ACT
TO REQUIRE DIRECT ELECTION OF THE CHAIR OF COUNCIL (13.4)

Moved by Councillor Carolina Moretti
Seconded by Councillor Howard Shore

That the following motion be referred to a Council Workshop in May 2012 for further discussion:

Whereas prior to 1971 the Governance model for the Municipality of the County of York was a Council of elected Mayors and or Reeves and deputy Mayors or Reeves from the constituent Municipalities, and

Whereas the head of Council was a Warden along with a Deputy Warden appointed by council from the membership of the York County Council, and

Whereas in 1971 the Province of Ontario dissolved the former County of York and through the Region of York Act, created the Region of York, and

Whereas the Province also through boundary adjustment and amalgamation created the nine municipalities that together now make up the Region of York, and

Whereas the province of Ontario appointed the first Chairman of the Region of York, and

Whereas the responsibilities of the Region of York at that time were limited in scope to little more than that of the previous County Government, and

Whereas the Region of York act as all other Regions created at that time were to grow and provide additional services previously provided by the Provincial Government, and

Whereas the practice of an appointed Chairman has continued for over Forty Years, even though the population of the Region has increased from less than 250,000 residents in 1971 to in excess of 1,050,000 residents in 2011, and

Whereas the population of the Region of York is in excess of the population of Newfoundland and Labrador, (510,000), Prince Edward Island (146,000), Nova Scotia (946,000), New Brunswick (756,000) and about even with Saskatchewan (1,057,900) and if going to overtake the population of the Province of Manitoba within the present planning horizon. These populations are from the 2011 Stats Canada Census, and

Whereas the Chairman of the region of York is one of the most powerful politicians in the Province, but is only accountable to a simple majority of the membership of the York Region Council, and

Whereas to be appointed Chairman of the Region of York Council requires 11 votes or approximately 0.0000109934 percent of the population or approximately 0.0000275 percent of the eligible voters in the Region, and

Whereas the Prime Minister, all Federal Ministers, Premiers and all Provincial Ministers must hold an elected position in a riding prior to being eligible to vote on any issues, and

Whereas the present process of Council appointing their own chair deprives the residents from hearing what the platform and agenda of the individuals running for the most senior position in the Region of York is to be, and

Whereas that agenda affects all of our lives whether it be Policing, Regional Planning, Roads, Public Housing, Public Transportation, Water and Sewer Services, Emergency Services and all other Regional Services provided, and

Whereas the role of Chairman has grown to the point that appointing from within the elected Council will not get the Regional Platform or agenda out to the residents as a whole,

Now therefore be it resolved:

- 1) That the Province of Ontario pass enabling legislation to require the head of the Regional Municipality of York to be elected by general vote in accordance with the Municipal Elections Act, 1996, beginning in the 2014 Municipal Election; and,
- 2) That this motion be sent to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Kathleen Wynne Minister of Municipal Affairs and Housing, the Honourable Tim Hudak leader of the Opposition, Andrea Horwath Leader of the NDP, and all MPPs in York Region

CARRIED BY A RECORDED VOTE (7:6)

(See following recorded vote)

YEAS: Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Valerie Burke, Councillor Howard Shore, Councillor Carolina Moretti, Councillor Logan Kanapathi. (7)

NAYS: Regional Councillor Jim Jones, Regional Councillor Joe Li, Councillor Don Hamilton, Councillor Colin Campbell, Councillor Alan Ho, Councillor Alex Chiu. (6)

The notice of this motion was given at the February 28, 2012 Council meeting.

Council consented to revise the proposed motion, Resolution No. 1, to remove the reference to the "Region of York Act" as it has been repealed.

8. NOTICES OF MOTIONS

- (1) REMOVING THE TOWN OF MARKHAM FROM THE JURISDICTION OF THE ONTARIO MUNICIPAL BOARD AND ASKING THE PROVINCE OF ONTARIO TO ABOLISH THE ONTARIO MUNICIPAL BOARD (OMB) (13.0)

Moved by Councillor Howard Shore

Seconded by Councillor Logan Kanapathi

Whereas municipal councils are democratically elected and accountable representative bodies; and,

Whereas municipal councillors are the elected officials most closely tied to the residential and business community and have the broadest understanding of the issues that affect their neighbourhoods; and,

Whereas municipal councillors have the obligation to make decisions on planning matters in the best interests of their community at large; and,

Whereas municipal councillors make determinations on issues of planning based on direct and personal knowledge of the community, its potential and opportunities that are not restricted to the boundaries of the Planning Act, such as strategic plans, including Markham's Growth Alternative to 2031; and,

Whereas despite the Provincial of Ontario's effort to heighten the relevance of local municipal decisions by amending the Planning Act and directing that the OMB "*shall have regard to*" decisions made by municipal councils this has proven to be so vague that the OMB's decisions are not, in fact, being influenced by this amendment; and,

Whereas it would be more appropriate in matters of law to have legal disputes referred to the courts; and,

Whereas particular planning concerns respecting land severance applications and minor variances are heard by the municipal Committee of Adjustment and are subject to appeal to the OMB;

Now therefore be it resolved:

- 1) That the Minister of Municipal Affairs and Housing (MMAH) be requested to amend the Planning Act, the Heritage Acts, and all other legislation under which the Ontario Municipal Board (OMB) operates and has jurisdiction to abolish the OMB and to provide that decisions of municipal councils are only appealable to the courts on matters of substantive law; and,

- 2) That the MMAH be requested to amend the Planning Act to direct that appeals of decisions of the Committee of Adjustment be appealable to municipal councils and that municipalities be authorized to conduct hearings on such appeals through an Appeals Committee of Council, if viewed appropriate to do so by the municipality; and,
- 3) That copies of this resolution be sent to the Minister of Municipal Affairs and Housing, all local members of Provincial Parliament, GTA municipalities, registered ratepayer associations in the Town of Markham, Markham Action Group for Improved Community, and Association of Municipalities of Ontario (AMO); and,
- 4) That the MMAH be requested to hold public consultations regarding these requests; and,
- 5) That upon confirmation of the dissolution of the OMB, Town Development Services Commission staff continue the process of establishing the local appeal body for decisions of the Committee of Adjustment; and,
- 6) That the Town of Markham support the request of the City of Mississauga to the MMAH for public consultations on these requests, and advise the Minister of its support in writing and offer of assistance to liaison with local stakeholders including business owners, property owners, residents, and individuals and corporations working in land use development and planning; and,
- 7) That should during the MMAH and city-lead public consultations, it be determined that municipal jurisdictions wish to remain subject to OMB hearings, then Markham Council and other municipal jurisdictions by a majority vote, be granted the option of removal from the OMB's purview; and,
- 8) That should the MMAH not accede to the request to dissolve the OMB, in the alternative, the Town of Markham would recommend that leave to appeal be required in all appeals to the OMB. Such leave to appeal shall be to a Master of the Superior Court of Ontario.

9. COMMUNICATIONS

Council consented to add Communication No. 14-2012.

Moved by Councillor Alex Chiu

Seconded by Councillor Colin Campbell

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

Referred to all Members of Council

13-2012 2012 UNIONVILLE FESTIVAL - ROAD CLOSURE REQUEST (3.5)

- The following roads will be closed to facilitate the event: [Info](#)FRIDAY, JUNE 1, 2012 (5:00 p.m. to 12:00 midnight)

- Main Street Unionville north from Concession Road to south of Carlton Road
- No access from Main Street Unionville east onto Carlton Road
- No access from Main Street Unionville west onto Fred Varley and Carlton Road

SATURDAY, JUNE 2, 2012 (7:00 a.m. to 7:30 p.m.)

- Main Street Unionville north from Highway 7 to south of Bridle Trail
- Fred Varley Drive west from Main Street to east of Fonthill Boulevard
- Fred Varley Drive west of EJ Lennox Way east of plaza driveway - will have limited access for residents
- Carlton Road west of Wembley Avenue to Chamberry
- No access from Main Street Unionville east onto Eckardt Avenue, Maple Lane, Victoria Avenue and Carlton Road
- No access from Main Street Unionville west onto Pavilion Street, Euclid, Station Lane, Fred Varley, Main Street Lane (west) and Carlton Road (east & west)
- No access from Main Street Unionville east onto Library Lane and Bridle Trail
- No access from Main Street Unionville west onto Toogood Pond Park

SATURDAY, JUNE 2, 2012 (7:30 p.m. to 12:00 midnight)

- Main Street Unionville north from Concession Road to south of Carlton Road
- No access from Main Street Unionville east onto Carlton Road
- No access from Main Street Unionville west onto Fred Varley and Carlton Road

SUNDAY, JUNE 3, 2012 (8:00 a.m. to 6:00 p.m.)

- Main Street Unionville north from Concession Road to south of Carlton Road
- No access from Main Street Unionville east onto Carlton Road
- No access from Main Street Unionville west onto Fred Varley and Carlton Road

CARRIED

Referred to Commissioner of Development Services

- 14-2012 ROBERT A DRAGICEVIC, WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED, ON BEHALF OF AGNANI HOMES LIMITED (10.7 and 10.5) (10.7 and 10.5)
- Forwarding a letter dated March 20, 2012 to provide comments with respect to the applications submitted by 1839314 Ontario Limited (formerly Great Eldin Developments Ltd.), 9560 Highway 48, for draft plan of subdivision and rezoning. [Letter](#)
- (By-laws 2012-62 and 2012-63)

10. PROCLAMATIONS

- (1) PROCLAMATION AND FLAG RAISING REQUESTS
– FOR INFORMATION AND APPROVAL (3.4)
[Info](#)

Moved by Councillor Alan Ho

Seconded by Councillor Howard Shore

- 1) That the following proclamations issued by the Town Clerk in accordance with the Town of Markham Proclamation Policy be received for information purposes:
 - Red Cross Month (March 2012)
 - Girls Rights Week (April 30 to May 6, 2012)
 - Pakistan National Day (March 23, 2012)
 - Israel Independence Day (April 26, 2012); and,
- 2) That the following requests for flag to be raised at the Anthony Roman Markham Civic Centre flagpole approved by the Town Clerk in accordance with the Town of Markham Community Flag Raisings & Flag Protocol Policy be received for information purposes:
 - Red Cross flag
 - Pakistan national flag
 - Israel national flag; and further,
- 3) That the following new proclamations be approved and added to the Five-Year Proclamations List approved by Council:
 - Jewish Heritage Month (May 2012)
 - Lali Vij Day (May 28, 2012).

CARRIED

Council consented to approve the proclamation of "Israel Independence Day" for 2012 and to approve the flag of Israel to be raised at the Anthony Roman Markham Civic Centre for the day.

11. NEW/OTHER BUSINESSES**(1) 2011 TOP BEST 50 MANAGED COMPANIES (12.2.6)**

Council acknowledged the three companies having offices located in the Town of Markham for winning the 2011 Top Best 50 Managed Companies Award. The names of the company are:

- Delcan Corporation
- Mayhew
- Real Matters Inc.

12. BY-LAWS

Moved by Regional Councillor Gord Landon
Seconded by Councillor Carolina Moretti

That Council consider By-laws 2012-62 and 2012-63 regarding 1839314 Ontario Limited (Formerly Great Eldin), 9560 Highway 48, immediately following the delegation with respect thereto.

CARRIED

Moved by Councillor Carolina Moretti
Seconded by Regional Councillor Gord Landon

That By-laws 2012-62 and 2012-63 be given three readings and enacted.

CARRIED

Moved by Councillor Alex Chiu
Seconded by Deputy Mayor Jack Heath

That By-laws 2012-56 to 2012-58 and By-law 2012-60 be given three readings and enacted.

CARRIED

Moved by Councillor Alex Chiu
Seconded by Deputy Mayor Jack Heath

That By-law 2012-61 be given three readings and enacted.

CARRIED
(Councillor Valerie Burke abstained)

Three Readings

- BY-LAW 2012-56 A BY-LAW TO AMEND PARKING BY-LAW 2005-188
(ADMINISTRATIVE AMENDMENTS).
[By-law](#) **CARRIED**
- BY-LAW 2012-57 A BY-LAW TO AMEND SIGN BY-LAW 2002-94
(ADMINISTRATIVE AMENDMENTS).
[By-law](#) **CARRIED**
- BY-LAW 2012-58 ROAD DEDICATION BY-LAW (ARBORETUM DRIVE AND
RIVERLANDS AVENUE)
- A by-law to dedicate certain lands as part of the highways of the Town
of Markham (Block 100, Plan 65M-4093 - Arboretum Drive and Block
84, Plan 65M-4257 - Riverlands Avenue)
[By-law](#) **CARRIED**
- BY-LAW 2012-60 WEED CONTROL ACT INSPECTORS APPOINTMENT BY-LAW
- A by-law to amend Municipal Law Enforcement Officers Appointment
By-law 2002-178.
[By-law](#) **CARRIED**
- BY-LAW 2012-61 INTERIM CONTROL BY-LAW FOR THORNLEA INDUSTRIAL
AREA, THORNHILL COMMUNITY
- A by-law to amend By-law 77-73, as amended.
(Item No. 1, Report No. 15, 2012)
[By-law](#) **CARRIED**
(Councillor Valerie Burke abstained)

BY-LAW 2012-62 1839314 ONTARIO LIMITED (FORMERLY GREAT ELDIN), 9560 HIGHWAY 48, ZONING BY-LAW AMENDMENT APPLICATION (DELETING BY-LAW)
- A by-law to amend By-law 304-87, as amended, to delete subject lands from By-law 304-87, as amended, so that they may be incorporated into By-law 177-96, as amended, to permit a townhouse development and a public park. (Item No. 2, Report No. 63, 2011)
[By-law](#)

CARRIED

BY-LAW 2012-63 1839314 ONTARIO LIMITED (FORMERLY GREAT ELDIN), 9560 HIGHWAY 48, ZONING BY-LAW AMENDMENT APPLICATION (IMPLEMENTING BY-LAW)
- A by-law to amend By-law 177-96, as amended, to permit a townhouse development and a public park. (Item No. 2, Report No. 63, 2011)
[By-law](#)

CARRIED

13. IN-CAMERA ITEMS

Council consented to not resolve into in-camera session and to report out the following items, as proposed, at open Council session:

COUNCIL IN-CAMERA MINUTES

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 28, 2012
[Section 239 (2) (g)]

GENERAL COMMITTEE - March 19, 2012

- (2) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
– RESIGNATION OF A COMMITTEE MEMBER
[Section 239 (2) (b)]
- (3) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND
BY THE MUNICIPALITY OR LOCAL BOARD
- IN WARD 1
[Section 239 (2) (c)]

- (4) PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL,
INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES
- FACILITY & PARK NAMING POLICY (5.0)
[Section 239 (2) (b)]

Council reported out the items as follows:

COUNCIL IN-CAMERA MINUTES

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 28, 2012 (16.0)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alan Ho

- 1) That the minutes of the in-camera Council meeting held on February 28, 2012 be confirmed.

CARRIED

GENERAL COMMITTEE - March 19, 2012

- (2) BOARD AND COMMITTEE RESIGNATIONS (16.24)

Moved by Deputy Mayor Jack Heath
Seconded by Councillor Alan Ho

- 1) That the resignation of Deputy Mayor Jack Heath from the Public Realm Advisory Committee be received with regret for information purposes.

CARRIED

(3) PROPOSED ACQUISITION OF A PROPERTY IN WARD 1 (8.6)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alan Ho

- 1) That the confidential report dated January 6, 2012 from the Town Solicitor and Acting Chief Administrative Officer regarding Proposed Acquisition of a Property in Ward 1 be received;
- 2) That staff be authorized to proceed as directed by Council on March 20, 2012.

CARRIED

(4) FACILITY & PARK NAMING POLICY (5.0)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Alan Ho

- 1) That the direction to staff with respect to the Facility & Park Naming Policy be received; and,
- 2) That staff be authorized to proceed as directed by Council on March 20, 2012.

CARRIED

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu

Seconded by Regional Councillor Joe Li

That By-law 2012-59 be given three readings and enacted.

Three Readings

BY-LAW 2012-59 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL MEETING OF MARCH 20, 2012.

[By-law](#)

CARRIED

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Logan Kanapathi

That the Council meeting be adjourned at 10:16 p. m.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR

(Signed)