



COUNCIL MINUTES

March 6, 2013, 7:00 p.m.

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 7

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 Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi.

REGRETS

Councillor Carolina Moretti, Councillor Alex Chiu.

STAFF

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor
Jim Baird, Commissioner of Development Services
Brenda Librecz, Commissioner of Community and Fire Services
Trinela Cane, Commissioner of Corporate Services
Joel Lustig, Treasurer
John Wong, Technology Support Specialist
Dennis Flaherty, Director of Corporate Communications
Stephen Huycke, Acting Deputy Clerk
Alida Tari, Council/Committee Coordinator

The regular meeting of Council convened at 7:04 p.m. on March 6, 2013 in the Council Chamber. Deputy Mayor Jack Heath presided from 7:04 p.m. to 7:22 p.m. Mayor Frank Scarpitti assumed the Chair at 7:23 p.m.

Deputy Mayor Jack Heath vacated the Chair and Regional Councillor Jim Jones assumed the Chair during the consideration of the item titled "Property Tax Instalments – Options".

1. DISCLOSURE OF PECUNIARY INTEREST

- (1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES
– FEBRUARY 25, 2013 AND FEBRUARY 26, 2013
[Feb25](#) [Feb26](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Howard Shore

- 1) That the Minutes of the Council Meetings held on February 25, 2013 and February 26, 2013, be adopted.

CARRIED

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. PETITIONS

There were no petitions.

6(a) REPORT NO. 9 - GENERAL COMMITTEE (February 25, 2013)

Council consented to separate Item No. 2.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 9 – General Committee comprised of 2 items be received and adopted, except Item No. 1. (See following Item No. 1)

(1) **PROPERTY TAX INSTALMENTS
- OPTIONS (7.1)**
[Report](#)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Logan Kanapathi

- 1) THAT the report entitled “Property Tax Instalments - Options” be received for information; and,
- 2) That Council retain the four instalment dates for 2013 and future years; and further,
- 3) That staff be authorized and directed to do all the things necessary to give effect to this resolution.

CARRIED

(See following motion which was lost)

A motion moved by Deputy Mayor Jack Heath and seconded by Councillor Logan Kanapathi was presented to Council to amend the summer instalments to July and September for 2013; however, the motion was lost as Councillor Logan Kanapathi withdrew as a seconder and Council consented to his withdrawal.

Deputy Mayor Jack Heath vacated the Chair and Regional Councillor Jim Jones assumed the Chair during the consideration of the item titled "Property Tax Instalments – Options".

(2) DANIELS FAIRTY HOUSE STABILIZATION AND PRESERVATION UPDATE- 7060 MARKHAM ROAD (5.0)
[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the Report entitled “Daniels Fairty House Stabilization and Preservation Update – 7060 Markham Road” be received; and
- 2) That staff proceed with Option 2 to complete the full exterior restoration and structural stabilization of the Daniels Fairty House for a total cost of \$448,000, be funded from the Daniels Fairty House Stabilization and Preservation 2012 capital account 750-101-5399-12287; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

6(B) REPORT NO. 10 - GENERAL COMMITTEE (March 4, 2013)

Moved by Regional Councillor Gord Landon
Seconded by Councillor Valerie Burke

That Report No. 10 – General Committee comprised of 5 items be received and adopted.

(1) SUMMARY OF 2012 REMUNERATION & EXPENSES FOR COUNCILLORS AND APPOINTEES TO BOARDS (7.0)
[Report](#) [Appendix A](#) [Appendix B](#)

- 1) That the report titled “Summary of 2012 Remuneration & Expenses for Councillors and Appointees to Boards” be received; and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) 005-T-13 AWARD OF CONTRACT FOR
REPLACEMENT OF TWO PEDESTRIAN
BRIDGES P014 & P015 AND REHABILITATION
OF PEDESTRIAN BRIDGE P054 (7.12)
[Report](#) [Attachment A](#)

- 1) That the report entitled “Award of Tender 005-T-13 Replacement of Two Pedestrian Bridges P014 & P015 and Rehabilitation of Pedestrian Bridge P054 be received; and,
- 2) That the contract for tender 005-T-13 Replacement of Two Pedestrian Bridges P014 & P015 and Rehabilitation of Pedestrian Bridge P054 be awarded to the lowest priced bidder, Mopal Construction Ltd. in the amount of \$244,269.79 inclusive of HST impact; and,
- 3) That a separate purchase order in the amount of \$25,000.00 inclusive of HST impact be issued for contingency to cover any additional fees and that the Director of Asset Management be authorized to approve expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 4) That the contract for 018-R-11 Consulting Engineering Services related to Contract Administration and Construction Inspection be awarded to the 2nd ranked, lowest priced bidder, G.D. Jewell Engineering Inc. in the amount of \$20,352.00 inclusive of HST impact; and,
- 5) That a contingency amount of \$2,000.00 inclusive of HST impact be established to cover any additional contract administration and construction inspection fees and that the Director of Asset Management be authorized to approve expenditure of this contingency amount up to the specified limit in accordance with the Expenditure Control Policy; and,
- 6) That staff be authorized to retain a qualified geotechnical consulting firm in accordance with the City’s purchasing by-law to provide geotechnical and materials testing services during construction for an upset limit of \$5,000.00 inclusive of HST impact; and,
- 7) That the shortfall of \$109,838.40 inclusive of HST impact, be funded from the Life Cycle Replacement & Capital Reserve; and,
- 8) That the award be funded from the Asset Management Capital Projects as identified within the financial considerations section; and further,
- 9) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(3) EXTENSION OF 092-S-04 SUPPLY,
INSTALLATION AND MAINTENANCE
OF WATER METERS (7.12)

[Report](#)

- 1) That the report “Extension of 092-S-04 Supply, Installation and Maintenance of Water Meters” be received; and,
- 2) That contract 092-S-04 for Supply, Installation and Maintenance of Water Meters be extended for a further two-year term from February 1, 2013 to January 31, 2015 to Neptune Technology Group (Canada) Ltd. (“Neptune”) in the estimated annual contractual amount of \$976,433 inclusive of HST; and,
- 3) That in accordance with Purchasing By-Law 2004-341, Part II, Section 7 (1c), Non-Competitive Procurement, whereby “When the extension of an existing contract would prove more cost-effective and beneficial” the tendering process be waived; and,
- 4) That the E-coder register be installed on all new meter installations and/or water meter replacement in this 2-year extension term with Neptune; and,
- 5) That the budget for the 2013 Water Meter Replacement/Upgrade Program (project 13704) be increased by \$45,000 to be funded from the Waterworks reserve to accommodate the installation of the e-coder register head on all new meter installations and meter replacements; and,
- 6) That this contract be funded from the Waterworks capital accounts for water meter replacement and the Waterworks operating accounts for meter repairs and maintenance, as shown in the financial consideration section; and,
- 7) That the 2014 and 2015 purchase orders be adjusted for growth, subject to Council approval of the respective years’ budgets; and,
- 8) That the Mayor and Clerk be authorized to execute the contract with Neptune in a form acceptable to the City Solicitor; and further,
- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) 2012 ANNUAL WATER QUALITY REPORT
(JANUARY-DECEMBER 2012) (5.3)
[Report](#)

- 1) That the report titled “Annual Water Quality Report (January-December 2012)” as required by Schedule 22 of Ontario Regulation 170/03 enclosed herein be received; and,
- 2) That the Annual 2012 Regulatory Water Quality Report (Attachment “A”), containing information for the Ministry of the Environment (MOE) on water supply and quality as required by Section 11 of Ontario Regulation 170/03, be received; and,
- 3) That Council directs staff to post the Annual 2012 Detailed Regulatory Water Quality Report on the City’s website and that it be made available and provided to residents upon request in hard copy version by February 28, 2013; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) MARKHAM SPORTS, ENTERTAINMENT
& CULTURAL CENTRE SUBCOMMITTEE
- TERMS OF REFERENCE (6.0 AND 16.24)

- 1) That the Terms of Reference for the Markham Sports, Entertainment & Cultural Centre Subcommittee be amended to appoint the Mayor and all Members of Council as members of the subcommittee.

CARRIED

**6(C) REPORT NO. 11 - DEVELOPMENT SERVICES COMMITTEE
(March 5, 2013)**

Council consented to separate Item No. 3.

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

That Report No. 11 – Development Services Committee comprised of 4 items be received and adopted, except Item No. 3. (See following Item No. 3)

(1) RECOMMENDATION REPORT
APPLICATION BY THE CATHOLIC CEMETERIES
ARCHDIOCESE OF TORONTO TO PERMIT
AN INCREASE IN CAPACITY OF CHRIST THE KING CEMETERY,
7770 STEELES AVENUE EAST, FILE NO. SC 12 127153 (10.0)
[Report](#)

- 1) That the report entitled “Application by the Catholic Cemeteries Archdiocese of Toronto to permit an increase in capacity of Christ the King Cemetery, 7770 Steeles Avenue East, File No. SC 12 127153” be received; and,
- 2) That the application by the Catholic Cemeteries Archdiocese of Toronto to permit an increase in capacity of Christ the King Cemetery at 7770 Steeles Avenue East, File No. SC 12 127153, be approved; and,
- 3) That notice of Council approval be given to the applicant and the Registrar in accordance with the Funeral, Burial and Cremation Services Act; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(2) REQUEST FOR DEMOLITION-GARAGE
3 ROUGE ST. MARKHAM VILLAGE (16.11)
[Report](#)

- 1) That the report titled “Request for Demolition-Garage, 3 Rouge St. Markham Village” dated March 5, 2013 be received; and,

- 2) That Council endorse the demolition of the non-heritage, detached garage/accessory building at 3 Rouge St. within the Markham Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

- (3) RECOMMENDATION REPORT
MALONE GIVEN PARSONS LTD., ON BEHALF OF
NORTH MARKHAM LANDOWNER'S GROUP
PROPOSAL TO REVOKE MINISTER'S ZONING ORDER, ONTARIO
REGULATION 104/72 (AIRPORT FREEZE) ON NINE PROPERTIES, FILE NO. ZA
12-126313 (10.0)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the deputation by Donald Given of Malone Given Parsons Ltd. on behalf of North Markham Landowner's Group, be received; and,
- 2) That the report dated March 5th 2013, titled "RECOMMENDATION REPORT, Malone Given Parsons Ltd., on behalf of North Markham Landowner's Group, Proposal to Revoke Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) on Nine Properties", File No. ZA 12-126313 be received; and,
- 3) That the City of Markham inform the Ministry of Municipal Affairs and Housing that it supports the revocation of the Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) for the three subject properties owned by Fieldgate Developments, being 10227 Kennedy Road, 4638 Major Mackenzie Drive East and 4551 Elgin Mills Road East; and,
- 4) That the City of Markham inform the Ministry of Municipal Affairs and Housing that it has no objection to the Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) being revoked on all lands within Regional Official Plan Amendment # 3 (ROPA 3); and,
- 5) That should the Ministry of Municipal Affairs and Housing (MMAH) deem it appropriate to revoke the Ministers Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) for lands at 10566 Highway 48, staff would recommend that the Owner of that property be required to remove the existing storage trailers from the property in order to conform with the City of Markham's Zoning By-laws and Official Plan; and,

- 6) That this Recommendation Report be forwarded to the Ministry of Municipal Affairs and Housing (MMAH) and the Region of York; and further,
- 7) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

Council consented to delete the following Resolution No. 3:

- "3) That the City of Markham inform the Ministry of Municipal Affairs and Housing that it has no objection to the Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) being revoked on three subject properties owned by Fieldgate Developments, being 10227 Kennedy Road, 4638 Major Mackenzie Drive East and 4551 Elgin Mills Road East;"

and replace with the following revised Resolution No. 3:

- "3) That the City of Markham inform the Ministry of Municipal Affairs and Housing that it supports the revocation of the Minister's Zoning Order (MZO), Ontario Regulation 104/72 (Airport Freeze) for the three subject properties owned by Fieldgate Developments, being 10227 Kennedy Road, 4638 Major Mackenzie Drive East and 4551 Elgin Mills Road East;"

(4) RECOMMENDATION REPORT

2303484 ONTARIO INC.

103 HELEN AVENUE

ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION TO
CREATE 6 DETACHED DWELLING LOTS AND BLOCKS FOR A NEW LOCAL
STREET AND A FUTURE PUBLIC PARK

FILE NOS. ZA AND SU 12 130682 (10.5 and 10.7)

[Report](#)

- 1) That the recommendation report titled "2303484 Ontario Inc., 103 Helen Avenue, Zoning By-law Amendment and Draft Plan of Subdivision to create 6 detached dwelling lots and blocks for a new local street and a future public park, File Nos. ZA and SU 12 130682", dated March 5, 2013, be received; and,
- 2) That the record of the Public Meeting held on June 12, 2012, regarding the proposed plan of subdivision and implementing zoning be received; and,
- 3) That the draft plan of subdivision, 19TM-12003 (SU 12 130682), proposed by 2303484 Ontario Inc. for 6 detached dwelling lots and blocks for a new local street and a future public park, located at 103 Helen Avenue, be approved subject to the conditions outlined in Appendix 'A'; and,

- 4) That the zoning application (ZA 12 130682) to amend by-laws 304-87, as amended, and 177-96, as amended, to implement draft plan of subdivision 19TM-12003 (SU 12 130682), be approved and the implementing Zoning By-laws attached as Appendix 'B' be enacted; and,
- 5) That 2303484 Ontario Inc. be granted servicing allocation for a projected population of 22 people (6 single detached units) and such allocation be from the total allocation for the South Unionville Planning District; and,
- 6) That the City reserves the right to revoke or re-allocate such servicing allocation at its sole discretion, should development not proceed in a timely manner; and,
- 7) That the Region of York be advised accordingly regarding the servicing allocation for this development; and,
- 8) That the applicant provide the City with the required payment of 30% of the subdivision processing fees in accordance with the City's Fee By-law; and,
- 9) That the draft plan approval for plan of subdivision 19TM-12003 will lapse after a period of three years commencing March 5, 2013, in the event that a subdivision agreement is not executed within that period; and further,
- 10) That staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-laws 2013-26 and 2013-27)

CARRIED

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

There were no notices of motions.

9. COMMUNICATIONS

Moved by Regional Councillor Gord Landon

Seconded by Councillor Logan Kanapathi

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

Referred to all Members of Council

9-2013 ROAD CLOSURE REQUEST - SHOPPERS DRUG MART RUN FOR WOMEN (3.5)

[Info](#)

The following roads will be closed on June 22, 2013 from 5:00 am to 11:00 am:

1. Start at Main Street Unionville from Hwy 7 to Carlton Rd
2. Eckhardt Avenue - all
3. Euclid Street – all (8:15 to 9am only)
4. Eureka Street - all
5. Pavillion Street – all
6. Union Street– all (8:15 to 9am only)
7. Fred Varley Drive - from Main Street Unionville to Fonthill Blvd
8. Fonthill Blvd - from Fred Varley Drive to Krieghoff Avenue
9. Krieghoff Avenue - from Fonthill Blvd start to Fonthill Blvd finish
10. Merchant Rd - all (to pathway)
11. Pomander Rd - from Carlton Rd to Emily Carr Street (hard closure only near Carlton)
12. Carlton Rd from Kennedy Avenue to Pomander Rd
(using as a crossing, buses can travel through) ends @ 10:30 am

CARRIED

10-2013 MEMO REGARDING HOLD REMOVAL BY-LAW FOR H & W DEVELOPMENT CORPORATION (10.0)

[Memo](#)

- Commissioner of Development Services recommending the removal of Holding Provision H1 from the Phase 1 portion of the H & W Development Corporation lands on the east side of South Town Centre Boulevard between Clegg Road and Cedarland Drive.

(By-law 2013-28)

CARRIED

10. PROCLAMATIONS

There were no proclamations.

11. NEW/OTHER BUSINESS

There was no new/other business.

12. BY-LAWS

Moved by Councillor Valerie Burke
Seconded by Councillor Howard Shore

That By-laws 2013-26 to 2013-28 be given three readings and enacted.

Three Readings

BY-LAW 2013-26 2303484 ONTARIO INC, 103 HELEN AVE, DELETING BY-LAW

By-law

- A by-law to amend By-law 304-87, as amended, to delete the subject lands from By-law 304-87, as amend, so they may be incorporated into By-law 177-96, as amended, to implement a draft plan of subdivision.

(Item No. 4, Report No. 11)

CARRIED

BY-LAW 2013-27 2303484 ONTARIO INC, 103 HELEN AVE, IMPLEMENTING BY-LAW

By-law

- A by-law to amend By-law 177-96, as amended, to implement a draft plan of subdivision.

(Item No. 4, Report No. 11)

CARRIED

BY-LAW 2013-28 HOLD REMOVAL BY-LAW, H & W DEVELOPMENT CORPORATION

By-law

- A by-law to amend By-law 2004-196, as amended, to remove Holding Provision H1, east side of South Town Centre Boulevard between Clegg Road and Cedarland Drive, Part of Lot 9, Concession 4.
(Communication No. 10-2013)

CARRIED

13. IN-CAMERA ITEMS

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Joe Li

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following matters (7:21 p.m.):

COUNCIL – March 6, 2013

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 26, 2013, 2013
[Section 239 (2) (b) (e)]

GENERAL COMMITTEE – March 4, 2013

- (2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (c)]

DEVELOPMENT SERVICES COMMITTEE- March 5, 2013

- (3) ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE
[Section 239 (2) (f)]

- (4) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (e)]
- (5) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (e)]
- (6) LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD
[Section 239 (2) (e)]

CARRIED

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Joe Li

That Council rise from the in-camera session and report. (7:35 p.m.)

CARRIED

Council reported out the items as follows:

- (1) MINUTES OF IN-CAMERA COUNCIL MEETING
- FEBRUARY 26, 2013 (16.0)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the Council In-camera Minutes dated February 26, 2013 be confirmed.

CARRIED

(2) A PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD (8.10)

Moved by Councillor Alan Ho

Seconded by Councillor Colin Campbell

- 1) That the confidential report dated January 29, 2013 from the Chief Administrative Officer and City Solicitor regarding a proposed or pending acquisition or disposition of land by the municipality or local board, be received; and,
- 2) That staff be authorized to proceed as directed by Council on March 6, 2013.

CARRIED

(3) CONSENT AND MINOR VARIANCE APPEALS
B/16/12, A/119/12 AND A/120/12 (8.0)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Valerie Burke

- 1) That the confidential report dated February 6, 2013 regarding File Nos. B/16/12, A/119/12 and A/120/12 be received; and
- 2) That the City Solicitor or her designate be directed to attend the OMB hearing to support the settlement of the appeal of the Committee of Adjustment's denial of the applications for consent and minor variances respecting File Nos. B/16/12, A/119/12 and A/120/12 as described in this report; and,
- 3) That Council authorize City Solicitor or her designate to execute Minutes of Settlement satisfactory to the City Solicitor regarding File Nos. B/16/12, A/119/12 and A/120/12, to ensure that the Applicant supports the proposed settlement described in this report at the Ontario Municipal Board; and further,
- 4) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(4) CONSENT APPEAL - B/30/12 (8.0)

Moved by Councillor Alan Ho

Seconded by Regional Councillor Jim Jones

- 1) That the confidential report dated March 5, 2013 regarding File No. B/30/12 be received, and,

- 2) That the City Solicitor and Staff be instructed to attend the Ontario Municipal Board (“OMB”) hearing to support the conditions of approval revised as set out in this report, imposed by the Committee of Adjustment on its approval of the application for consent respecting File No. B/30/12; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

(5) **ONTARIO MUNICIPAL BOARD APPEAL
OF COMMITTEE OF ADJUSTMENT DECISION
- B/26/12, A/137/12, A/174/12 (8.0)**

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the confidential report dated March 5, 2013 regarding File Nos. B/26/12, A/137/12, A/174/12 be received; and,
- 2) That Staff be directed to withdraw the appeal of the decision of the Committee of Adjustment with respect to File Nos. B/26/12, A/137/12, A/174/12, to approve a consent and minor variance applications to create an additional lot in a residential zone of the Unionville Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED BY A RECORDED VOTE (8:3)
(See following recorded vote)

YEAS: Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho, Councillor Logan Kanapathi. (8)

NAYS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton. (3)

ABSENT: Councillor Carolina Moretti, Councillor Alex Chiu. (2)

- (6) CONFIDENTIAL REPORT
MINOR VARIANCE APPEAL
- A/200/12 (8.0)

Moved by Regional Councillor Jim Jones
Seconded by Regional Councillor Gord Landon

- 1) That the confidential report dated March 5, 2013 regarding File No. A/200/12 be received; and,
- 2) That Council direct the City Solicitor and Staff to not attend the Ontario Municipal Board (OMB) Hearing in respect of a minor variance application to permit two driveways on one lot, one being a circular driveway which does not provide direct access to a private garage from a public street, whereas Zoning By-law 1767 as amended by Extended Driveway By-law 2006-96, permits only one driveway per lot with direct access to a private garage from a public street; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED BY A RECORDED VOTE (7:4)
(See following recorded vote)

YEAS: Regional Councillor Joe Li, Regional Councillor Jim Jones, Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Gord Landon, Councillor Colin Campbell, Councillor Alan Ho. (7)

NAYS: Councillor Valerie Burke, Councillor Howard Shore, Councillor Don Hamilton, Councillor Logan Kanapathi. (4)

ABSENT: Councillor Carolina Moretti, Councillor Alex Chiu. (2)

14. CONFIRMATORY BY-LAW

Moved by Councillor Valerie Burke
Seconded by Councillor Howard Shore

That By-law 2013-25 be given three readings and enacted.

Three Readings

BY-LAW 2013-25 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF MARCH 6, 2013.

By-law

CARRIED

15. ADJOURNMENT

Moved by Councillor Alan Ho
Seconded by Deputy Mayor Jack Heath

That the Council Meeting be adjourned at 7:51 p.m.

CARRIED

STEPHEN M.A. HUYCKE
ACTING DEPUTY CLERK

FRANK SCARPITTI
MAYOR

(Signed)