



TOWN OF MARKHAM
ONTARIO

BY-LAW 2001-1

PROCEDURAL BY-LAW

**A BY-LAW TO GOVERN THE PROCEEDINGS
OF COUNCIL AND COMMITTEES OF COUNCIL**

PASSED: December 5, 2000
AND RE-ENACTED December 10, 2002
(By-law 2002-337).

Amended by

By-law No. 2003-346 – 16 December 2003

By-law No. 2004-14 – 27 January 2004

By-law No. 2004-38 – 10 February 2004

By-law No. 2004-46 – 9 March 2004

By-law No. 2004-326 – 30 November 2004

By-law No. 2004-336 – 14 December 2004

By-law No. 2006-109 – 9 May 2006

By-law No. 2007-11 – 19 December 2006

By-law No. 2007-262 – 27 November 2007

By-law No. 2008-46 – March 25, 2008

(Office Consolidation to March 27, 2008)

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2001-1

A By-law to Govern the Proceedings of Council and Committees of Council

WHEREAS Section 238 (2) of the *Municipal Act, 2001* requires every council and local board to adopt a Procedure by-law for governing the calling, place and proceedings of meetings.

AND WHEREAS Council enacted By-law 2001-1 on December 5, 2000.

AND WHEREAS Section 239 of the *Municipal Act, 2001* provides that land disposition shall be considered in-camera.

THE COUNCIL OF THE CORPORATION OF THE TOWN OF MARKHAM ENACTS
AS FOLLOWS:

1. DEFINITIONS

In this By-law:

- a) “**Chair**” means the person presiding at a meeting.
- b) “**Clerk**” means the Town Clerk or Deputy Clerk of the Town of Markham.
- c) “**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.
(Amended by By-law No. 2007-262)
- d) “**Council**” means the Council of the Town of Markham.
- e) “**Mayor**” means the Head of Council as defined in the *Municipal Act*.
- f) “**Member**” means any Member of Council as defined in the *Municipal Act*.
- g) “**Quorum**” means 50% + 1 Member of Council or Committee.
- h) “**Rules of Procedure**” means the rules and regulations governing the proceedings of Council and its Committees.
- i) “**To defer**” means to postpone a decision or discussion on a matter until later in the same meeting or to a future meeting of Council or Committee.
- j) “**To table**” means to introduce an item for discussion at a meeting.

- k) “**Town**” means the municipality of the Town of Markham.
- l) “**Meeting**” means any regular, special or other meeting of a Council, of a Local Board or of a Committee of either of them.
(Amended by By-law No. 2007-262)
- m) “**Agenda**” means a Town of Markham Standing Committee/Council agenda.
(Amended by By-law No. 2007-262)
- 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.
(Amended by By-law No. 2007-262)
- 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.
(Amended by By-law No. 2007-262)
- p) “**Town of Markham website**” means the Town of Markham website at www.markham.ca.
(Amended by By-law No. 2007-262)

2. GENERAL PROVISIONS

2.1 Rules and Regulations

The rules and regulations contained in this by-law shall be the Rules of Procedure for the order and dispatch of business in Council and the Committees thereof, provided that the Rules of Procedure contained herein may be suspended by a two-thirds vote of the Members of Council or Committee present at the meeting.

2.2 Alternative Interpretation

In the event of a conflict in the interpretation of any provision of this procedural by-law, reference shall be made to Robert’s Rules of Order for clarification.

2.3 Preparation of the Agenda

Prior to each regular Council meeting, the Clerk shall prepare an agenda of all the business to be brought before such meeting. The agenda shall be distributed to Members of Council and the press at least 48 hours before the meeting.

2.4 Addendum Items

Items of an urgent nature only may be added to an agenda but shall require a two-thirds vote. Reports that are presented to be addendum shall include an explanation as to its urgency.

2.5 Record of the Proceedings

The Clerk shall be the secretary of all meetings of Council. It shall be the duty of the Clerk to record the proceedings of Council in the form of minutes that shall contain the following:

- a) the beginning and ending time of meetings;
- b) the names of Council members present; the time Members arrive late and leave early;
- c) any conflict of interest;
- d) a record of each item before Council for consideration;
- e) recommendations to Council on each item;
- f) the names of deputants appearing before Council.

2.6 Minutes

- a) Minutes of a meeting of Council shall be approved at the next regular meeting of Council.
- b) It shall be the duty of the Clerk to deliver to each Member not less than 48 hours prior to a regular meeting of Council, the minutes of the last regular meeting of Council and all subsequent meetings of Council held more than four days before the regular meeting.

2.7 Recording Equipment

Regular Council meetings shall be recorded through audio streaming on the website. The use of audio and video recording equipment in the Council Chamber by the public or the media will be permitted provided that it is not disruptive to the meeting. The location of recording equipment will be at the discretion of the Chair.

(Amended by By-law No. 2004-326)

2.8 Signing Authority

The Mayor or in his/her absence, the Deputy Mayor and the Clerk are hereby authorized to sign and seal all agreements and other municipal documents that have been approved by Council.

2.9 Form of Meeting Notices

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

(Amended by By-law No. 2007-262)

3. COUNCIL MEETINGS

3.1 Inaugural Meeting

The first meeting of a newly elected Council after a regular election should be held on the first Tuesday in December at 7:30 p.m.

3.2 Regular Meeting Times

Regular meetings of Council shall be held at the hour of 7:00 p.m. (local time) on the second and fourth Tuesdays of each month, unless otherwise provided by a resolution of Council.

(Amended by By-law No. 2007-11)

3.3 Special Meetings of Council

The Mayor may, at any time, summon a special meeting of Council on 48 hours written notice to the members. Upon receipt of a written petition from a majority of the Members, the Clerk shall summon a special meeting on 48 hours written notice to all Members and the media for the purpose and at the time mentioned in the petition. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting. Special meetings may be open or closed as provided in *The Municipal Act*.

3.4 Location of Meetings

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.

(Amended by By-law No. 2007-262)

3.5 Calling a Meeting to Order and Quorum

As soon as a Quorum is present, after the hour fixed for the holding of a Council meeting, the Mayor shall take the chair and call the meeting to order.

3.6 Absence of the Mayor

In the absence of the Mayor, the Deputy Mayor shall take the chair. In the absence of both of them, the Members present shall elect a Chair for the meeting.

3.7 Quorum

- 1) If a quorum is not present 30 minutes after the time appointed for a meeting, the Clerk shall record the names of the Members present and the meeting shall not commence or proceed. If all those Members who are present remain until a Quorum is present, then the meeting shall proceed.

3.8 Late Arrival

If a Member arrives late for a Council meeting, any prior discussion shall not be reviewed without the unanimous consent of all Members present.

3.9 **Duties of the Chair**

It shall be the duty of the Chair:

- a) to put to a vote all motions which are moved and seconded, or necessarily arise in the course of proceedings, and to announce the result of the vote;
- b) to decline to put to a vote motions which infringe the Rules of Procedure;
- c) to restrain the Members, within the Rules of Procedure, when engaged in debate;
- d) to enforce on all occasions, the observance of order and decorum among the Members;
- e) to call by name any Member persisting in a breach of the Rules of Procedure, thereby ordering the member to vacate the Council Chambers;
- f) to decide all questions of order at Council meetings, subject to an appeal by any Member on any questions of order in respect to business before the Council;
- g) to execute, by his/her signature when necessary, all By-laws and Resolutions passed at a meeting.

3.10 **Conduct of Members**

No Member shall:

- a) use offensive words or unparliamentary language in or against the Council or against any Member;
- b) speak on any subject other than the subject being debated;
- c) criticize any decision of Council except for the purpose of moving that the question be reconsidered;
- d) disobey the Rules of Procedure or a decision of the Chair of Council on questions of order or on the interpretation of the Rules of Procedure. Where a Member persists in any such disobedience after having been called to order by the Chair, the Chair shall forthwith put the question to Council for a vote, no amendment, adjournment or debate being allowed, "that such Member be ordered to leave his/her seat for the duration of the meeting of Council", but if the Member apologizes he/she may, be permitted to retake his/her seat.

3.11 **Speaking Order**

No member shall speak more than once on an item, except to give an explanation, until every Member who wishes to speak on that item has spoken.

3.12 Orders of the Day

The Clerk shall prepare for the use of the Members at the regular meetings of Council the Agenda as follows:

Disclosure of Pecuniary Interest

Minutes

Presentations

Delegations

Petitions

Reports

Motions

Notice of Motions

(Amended by By-law No. 2004-46)

Communications

Proclamations

New/Other Business

(Amended by By-law 2008-46)

By-laws

In-Camera Items

(Amended by By-law No. 2007-11)

Adjournment

Other Business shall not be permitted after 11:00 p.m.

3.13 Delegations

- 1) Delegates shall be encouraged to appear before a Committee rather than before Council. Anyone wishing to appear before Council or Committee shall advise the Clerk by 4:30 p.m. on the Tuesday prior to the publication of the agenda. The request to appear before Council or Committee shall be in writing and shall state the nature of the matter to be presented.
- 2) No person other than the delegate may speak on the matter and for not more than a total of five (5) minutes except that a deputation consisting of more than five (5) persons who are present at the meeting may have more than one (1) speaker provided that the total speaking time does not exceed ten (10) minutes. A delegate not on the agenda and not appearing in respect to a matter on the agenda shall not be heard without the consent of at least two-thirds of the Members present.
- 3) The priority in which delegates shall be heard by Council or Committee shall be as follows:
 - a) Delegates listed on the agenda;
 - b) Delegates who, subsequent to the preparation of the agenda and prior to the commencement of a meeting, apply to the Clerk to be heard on a matter listed on the Agenda; and,
 - c) Delegates who appear at a meeting and who are not identified until such time as deputations are called for by the Chair.

- 4) Unless there is a staff presentation, all delegates appearing before Council and Committee shall be heard at the beginning of the regular meeting or just prior to the beginning of the specific item, and shall be permitted to speak only once on an item. Once deliberations on a specific item have commenced, no further presentations relative to the item shall be made by the delegate or by any person other than a Member of Council. The matter may be referred to a future meeting if there is not an accompanying report.
(Amended by By-law 2008-46)
- 5) Delegates shall respond to questions from the Members of Council only through the Chair.
(Amended by By-law No. 2006-109)

3.14 **Decorum**

- 1) Attendees at a meeting shall maintain order and shall not display signs or placards, heckle or engage in telephone or other conversation or any behaviour that may be considered disruptive.
(Amended by By-law No. 2006-109)
- 2) All cell phones and electronic devices shall be turned off and/or set to silent mode during a meeting.
(Amended by By-law No. 2006-109)
- 3) The Chair may request security to expel or exclude from any meeting any person who disrupts the meeting.
(Amended by By-law No. 2006-109)
- 4) No person, except Members of Council and staff of the Town, shall be allowed to approach the dais where the members of Council are seated.
(Amended by By-law No. 2006-109)
- 5) Members of the public who wish to submit materials for Council must do so through the Clerk.
(Amended by By-law No. 2006-109)

3.15 **Motions**

- 1) Every motion shall be read aloud, and when duly moved and seconded, shall be open for discussion. A motion or amendments thereto, may not be withdrawn without the consent of the mover and seconder. The Chair may not move or second any motion, but **must** vote on a motion. (See Clause 3.21)
- 2) Where a motion to defer is moved, the Chair shall request that the motion not be seconded until the speaker's list has been exhausted.
(Amended by By-law No. 2004-46)

- 3) Where a motion to adjourn or a motion to defer has been duly moved and seconded, until such motion has been decided, there shall be no discussion on the subject matter.

(Amended by By-law No. 2004-46)

3.16 Amendments to a Motion

Only one motion to amend a motion of amendment shall be on the floor at any one time.

3.17 Motions Containing Two or More Matters

When the motion under consideration contains two or more matters, upon the request of any Member, each matter shall be voted on separately.

3.18 Motion Under Debate

When a question is under debate, no motion shall be received except for the following purposes and according to the following order, namely:

a) to extend the hour of automatic adjournment.

b) to recess.

c) to adjourn.

d) to defer to a definite date subject to Section 3.15(2).

(Amended by By-law No. 2004-46)

e) to defer indefinitely subject to Section 3.15(2).

(Amended by By-law No. 2004-46)

f) to amend the main motion.

3.19 Adoption in a Single Motion

One or more report items on Committee or Council agenda may be adopted in a single motion. At a Council meeting, any Member may request that an item be discussed separately and that item shall not be included in the motion to adopt.

3.20 Points of Order or Privileges

- 1) A member may interrupt the person who has the floor to raise a point of order when such Member feels that there has been a deviation or departure from the Rules of Procedure. The ruling of the Chair shall be final unless a Member appeals the ruling to Council which shall then decide upon the question without debate.

- 2) A Member may rise at any time on a point of personal privilege where such Member feels that his/her integrity or the integrity of the Council has been impugned by another Member or delegate. Upon hearing such point, the ruling of the Chair shall be final unless the Member appeals the ruling to Council which shall then decide upon the question without debate.
- 3) Where the Chair recognizes that a breach of personal privilege has taken place, the Chair shall demand that the offending Member apologize, and failing such apology shall require such Member to vacate the Council Chamber for the duration of the meeting.
- 4) Any Member may appeal the decision of the Chair to the Council which shall decide the question “that the decision of the Chair be sustained” without debate upon a majority vote of the Members present.

3.21 **Notice of Motion**

Notices of Motion shall be in writing, signed by the mover and delivered to the Clerk prior to the meeting.

3.22 **Voting on Motions**

Each member present and voting shall announce or indicate his/her vote upon a motion openly and individually and no vote shall be taken by ballot, or any other method of secret voting. In the event a Member present abstains from voting, he/she will be deemed to have voted in the negative unless the Member's reason for abstaining is due to his/her disclosure of interest, or if he/she is precluded from voting under the provisions of subsection 3.10(d). When a Member abstains from voting in a disclosure of pecuniary interest situation, his/her abstention shall be deemed to be neither an affirmative nor a negative vote.

3.23 **Recorded Vote**

- 1) When a Member requests a recorded vote, all Members present at the meeting shall vote when called by the Clerk unless he/she has disclosed a pecuniary interest, or is precluded from voting under the provisions of subsection 3.10(d). The name of each Member who voted, and the manner in which he/she voted, shall be noted in the minutes. If a Member at a meeting of Council, where a motion is put to a vote and a recorded vote taken, does not vote, he/she shall be deemed to have voted in the negative unless the Member's reason for abstaining is due to a disclosure of pecuniary interest in which case his/her abstention shall be deemed to be neither a negative nor an affirmative vote. The Clerk shall announce the results.
- 2) Recorded votes shall not be taken at Committee meetings, with the only exception being that recorded votes will be permitted at Development Services Committee meetings when consideration is being given to “Items of Delegated Authority.”

(Amended by By-law No. 2004-326)

3.24 Tie Votes

Any motion of which there is a tie vote shall be deemed to be decided in the negative. (The *Municipal Act* s.60)

3.25 Reconsideration of a Matter

A previously considered matter may not be reconsidered by Council until four of its regular meetings have been held after the meeting at which it was originally considered. Decisions which contractually bind the Town shall not be reconsidered.

3.26 New/Other Business

Items entered under the “New/Other Business” Section of Council Agenda shall not be substantive but rather information items.

(Amended by By-law 2008-46)

3.27 By-laws

All by-laws shall be given first, second and third readings in a single motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the motion and dealt with separately.

Every by-law which is passed by Council shall be sealed with the seal of the corporation, signed by the Mayor or the Chair of the meeting at which the by-law was passed and by the Clerk and shall be deposited with the Clerk for custody.

If a majority vote is not achieved for a by-law on an item previously approved in the meeting, it shall be presented at the next subsequent regular meeting.

3.28 Adjournment of Meetings

It shall be the duty of the Chair to declare a meeting which is in session at 12:01 o'clock a.m. of the day following its commencement to be adjourned forthwith unless otherwise determined by a vote of two-thirds of the Members present.

4. COMMITTEE MEETINGS

4.1 Standing Committees

The Standing Committees of Council shall be as follows:

- 1) General Committee
Mayor and All Members of Council
- 2) Development Services Committee
Mayor and All Members of Council

(Amended by By-law No. 2004-336)

4.2 **Appointment of Standing Committee Chairs**

At the Inaugural meeting of Council each year in December:

- a) the Standing Committees of Council shall be established;
- b) (i) there shall be a Chair and Vice-Chair appointed for the following issues being considered by the General Committee:-
 - Finance & Administrative issues;
(Amended by By-law No. 2007-11)
 - Community Services;
(Amended by By-law No. 2007-262)
 - Environment & Sustainability
(Amended by By-law No. 2007-11)
 - Land, Building and Parks Construction
(Amended by By-law 2008-46)
- (ii) 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
(Amended by By-law No. 2007-262)
- c) the members of other Committees and representatives of the Town on boards and organizations shall be elected by vote of the majority of the Members of Council.

4.3 **Appointment of Special Committees**

Special Committees may be appointed by the Council and shall report to Council on any matter referred to them by Council. The Mayor and Deputy Mayor are ex-officio members of all Town of Markham Committees.

(Amended by By-law 2008-46)

4.4 **Quorum**

A majority of the Members of a Committee shall be a Quorum.

4.5 *Deleted*

(Amended by By-law No. 2004-336)

4.6 **Hearings**

Hearings, which are subject to the *Statutory Powers Procedures Act*, shall follow Procedures set forth in the *Statutory Powers Procedures Act*.

4.7 **Rules of Procedure for Committees**

The Rules of Procedure for Committees shall be the same as for Council except where they may be changed by the committee. Any committee may appoint a sub-committee.

4.8 Duties of Standing Committees

The duties of the Standing Committees shall be as follows:

- a) The General Committee shall be responsible for those duties listed in the Terms of Reference attached hereto as Schedule “B”.
(Amended by By-law No. 2007-262)
- b) The Development Services Committee shall perform all those duties listed in the Terms of Reference attached hereto as Schedule “C”.
(Amended by By-law No. 2007-262)

4.9 Deleted

(Amended by By-law No. 2004-336)

5. IN CAMERA MEETINGS

5.1 A meeting may be closed to the public only when the matter to be discussed relates to the following:

- a) the security of the property of the Town;
- b) personal matters about an identifiable individual, including Town employees;
- c) a proposed or pending acquisition of land for Town purposes;
- d) A proposed or pending sale of Town-owned land;
- e) labour relations or employee negotiations;
- f) litigation or potential litigation, including matters before administrative tribunals, affecting the Town;
- g) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- h) a matter in respect of which Council has authorized a meeting to be closed under another Act.
- 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.

(Amended by By-law No. 2007-262)

5.2 Any resulting recommendations made “in camera” shall be ratified at an open Council meeting.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
10TH DAY OF DECEMBER, 2002.

“Sheila Birrell”

TOWN CLERK

“Don Cousens”

MAYOR

**SCHEDULE "A" TO BY-LAW 2001-1
FORM OF MEETING NOTICES**

(Amended by By-law No. 2007-262)

(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 2001-1
TERMS OF REFERENCE FOR
GENERAL COMMITTEE**

(Schedule amended in its entirety by By-law 2008-46)

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 and parks, including construction, 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.
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 2001-1
TERMS OF REFERENCE FOR
DEVELOPMENT SERVICES COMMITTEE**

(Amended by By-law No. 2007-262)

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 21st 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.